# THE FUTURE OF THE WEST

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BY

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THE FUTURE OF THE WEST

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# THE FUTURE OF THE WEST

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# *Is Western Civilization Coming to an End?*

As our civilization grows older its scars deeper and the horizons of history wider there has arisen an increasing desire to assess the place of this civilization in history in order if possible to draw certain conclusions with regard to its future Yet this interest remained little more than an academic pastime for philosophers and historians until a few decades ago We took it for granted that our civilization would continue to dominate the world that it would grow bigger and better all the time that it would continue to bring about increasing prosperity and ever higher development of the human mind

Today we find one third of the earth s population imbued with an ideology directly opposed to that of Western civilization in the rest of the world its value is being challenged from within and without, its very survival doubted It is no longer a question of amused speculation what our world will look like two hundred or three hundred years from now but one of grim reality as to how it will look to our children perhaps even to ourselves a few decades from now H G Wells painted a gloomy picture of Everytown reduced to rubble in the Western world by 1960 George Orwell evoked the obsession of a rigidly totalitarian society in 1984 and the Western citizen who has the courage to

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# PART I

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## The Life and Death of Civilizations

look somewhat further than his garden fence notes with horror that strong forces are at work to make these predictions come true

Thus what had before been an object of academic speculation has turned into a matter of life and death the question which had been perceived by the eye of genius before World War I but which then seemed of mere theoretic interest has assumed a character of ugly urgency is Western civilization coming to an end?

Do we enjoy the bitter privilege of being chosen by fate to witness the crumbling of this majestic structure of Western civilization, as we have witnessed that of Coventry cathedral? Will the throbbing activity of crowded New York be replaced by the desolation of a depopulated city of half-empty apartment buildings and streets with weeds knee high? Will the towering skyscrapers of Detroit and Chicago be reduced to a shambles like the hearts of Warsaw Berlin Rotterdam and London? Shall we see Paris invaded and ransacked by barbarian hordes as Rome was once by the Vandals? Will our children be able to live in a world in which life will still be worth living or will they become human robots directed by a distant dictator through the tentacles of an omnipotent and omnipresent state machine?

In short can our civilization by pulling itself together rise to greater heights yet or is it doomed to a rapidly approaching death?

These are vital questions to which our time is trying to find an answer This book is an attempt to contribute to that answer

# I

# *The Rise and Fall of Civilizations*

SINCE the eighteenth century the habit has prevailed among Western historians to regard the history of humanity as one continuous development an unbroken line which in harmony with the spirit of the time was usually thought to be one of con stant progress In the study of history our Western society was taken as the point of departure from which historians worked backward and as the end toward which all previous history had been d veloping Historical events throughout the world and throughout the ages were under the names of "Ancient History" and "Middle Ages" treated as a mere prologue to the history of Europe which was the sea into which all the rivers of the past debouched Just as in the concept of the universe before Copernicus the earth was automatically accepted as the center of the universe so the linear concept of history construed the historical events of all times and peoples whether they took place in China or Mexico in the fourth century B C or the nineteenth century A D as part of one single coherent process leading up to the modern history of the Western world

In the course of the last hundred years or so this self-centered view of history has been more and more abandoned under the impact of discoveries which laid bare the story of long forgotten ages and brought evidence that the one line concept does not tally with the facts of history

Thus our own civilization has heavily borrowed from ancient Greece and Rome in morality philosophy architecture litera ture government law

Finally each following civilization can and in most cases has brought forth a higher degree of control of the human and physi cal environment and consequently a greater prosperity and greater spiritual or aesthetic achievements than its predecessor

Nor does this view of civilizations degrade men or nations to inanimate tools in the hands of fate nor does it make human effort useless History abounds with examples of nations and leaders which have by their determined will changed the course of history stopped a process of decay or led a civilization to new greatness

Since a certain similarity in the life course of different civiliza tions has been discovered a clue to the future of our civilization has been sought by comparing it—or some of its aspects such as its aesthetic or economic or political characteristics—to other civilizations and thus trying to discern what the future holds in store

It is not the purpose of this book to review all these theories or pass judgment upon them This has been done by others more competent for that undertaking (As one of the latest examples the reader may be referred to Pitirim Sorokin s *Social Philosophies of an Age of Crisis* a thorough and elaborate survey of many philosophies about the crisis of our time to which we shall often have occasion to refer That study differs from the present book in that the former is a scientific work for the expert student of philosophy and does not try to apply the conclusions of scien tific investigation to our present civilization ) Also such an at tempt would swell this study to the size of an encyclopedia on the reader s bookshelf and to the weight of a stone in his literary stomach Above all it would give this book a purpose different from the one it is intended to serve it would become a compre hensive scientific work written for the intellectual few This is

On the one hand it is not correct that the history of mankind constitutes one continuous process of progress We notice in history that certain areas during certain periods produce what is usually called civilization or culture These civilizations are limited in time and in space, or, to say the least of it, there are periods and areas in which civilization thrives and others in which it is dormant There was a civilization which originated in the Nile Valley, blossomed there spread beyond the borders of that valley but never reached, say, England or China or Peru After a life span of about three thousand years it gradually petered out as a distinctive civilization with a character of its own and finally gave way to an era in that region which could not be called civilized any more Similarly the civilization which originated in Rome and which had by the first century A D spread over the Mediterranean, the Middle East and Western Europe subsequently disintegrated and was replaced by a Dark Age which lasted from about the fifth until the ninth century Similar Dark Ages followed or preceded other civilizations

This has led many modern historians to the conclusion that the development of civilization has not been one of uninterrupted progress it has risen in certain regions in certain periods and then either temporarily fallen to rise again or disappeared al together

At the same time the discoveries of modern times have brought ever stronger evidence that other societies in distant ages and countries have gone through experiences similar to our own

Thus we have come to view Western civilization as one of many which have existed or exist as we have come to consider the earth one of many planets revolving around the sun

This does not necessarily imply a denial of progress First of all each civilization in itself shows one or more long ascending lines of progress But even when a civilization disappears valu able creations which it has produced in the way of technique science, art are inherited and used by a following civilization

It can hardly be qu stioned that between the art systems of various cultures there exist many similarities in both small and great matters

Quite different however is the claim that the main stages of the life history of a'l art systems are the same that there exists a uniform sequence of these stages and that therefore the life curve of all art systems has practically the same configuration with its zenith in the classic period and a decline in the direction of the initial (archaic) and the final (post lassic) periods These claims appear to me to be questionable There is a large body of material to support this doubt. [Sorokin *op cit* p 40-41]

When such rules are not overstated however they have a highly important cognitive value To a considerable degree they make intelligible an otherwise incomprehensible jungle of chaotic historical events There is no doubt that several of the above generalizations are roughly valid, when they are not overextended beyond their legitimate boundary [Sorokin *op cit* p 45]

Apart from these aesthetic philosophies of histories limited in th ir scope to the artistic expressions of civilizations many others have tried to evaluate the present crisis of our civilization against the wider background of history in all its aspects and the experi ences of other civilizations These philosophies have attracted the *widest attention* in our time because they strike at what people instinctively feel to be the heart of the matter *Does history hold* a clue to the future of Western civilization?

For the reasons mentioned above we shall limit ourselves to those historical interpretations of the twentieth-century crisis of our civilization which seem most important both on account of the value of their contents and on account of the influence they have exercised on the mind of our generation We shall draw upon other works only where they are relevant to the general line of argument. Thus we shall in scientific fields covered by others make use of their work and rely on their conclusions as much as seems justified after critical scrutiny

Once having in this way based ourselves upon a scientifically reliable platform we shall try to assess the reality around us and scan the horizons of the future

not what our time most needs What it does need is faith in the historic task of our civilization and in its possibilities It is to that faith that this work hopes to contribute And if this undertaking is to bear any fruit it must be kept within limits and expressed in language intelligible to the average citizen of the Western world

* * *

Some of the comparative studies of civilization have limited themselves to the field of aesthetic forms trying to establish analogies in the development of various arts within each civilization

According to the British author Sir Flanders Petrie for instance there is a uniform sequence in which the different forms of art in each civilization emerge from the stage of archaism into that of free and rich expression The sequence in which according to him they always come into bloom is first architecture and sculpture then in succession painting literature music mechanics science followed finally by what he calls wealth According to the German author Paul Ligeti however the development of all civilizations has started with an architectural stage which implies order effort law discipline and religion and continued through a plastic stage which is a synthesis of the preceding and the subsequent stages toward a stage of painting which stands for progress freedom mobility disorder materialism utilitarianism predominance of reason over faith

Other authors have advanced theories which assert that within each civilization all forms of art pass through similar phases of birth growth and decline such as for instance an archaic, a classical and a decadent stage

The limited value of all these theories attempting to establish similarities in the development of art in different cultures is summed up as follows in the judgment of one who armed with extensive knowledge both of history and of the theories in this field evaluated them as follows

ranging from history to linguistics and from Darwinism to the devaluation of the Russian ruble published in the magazine *Zaria* a series of articles entitled Russia and Europe a View point on the Political Relations between the Slavic and Germano-Romanic Worlds In Russia the work immediately aroused great interest but not until 1890 was a French translation published and not until 1920 a German one An English translation has never appeared with the result that in the Anglo Saxon world his ideas are even today little known Yet they are of such wide scope and penetrating character that he may well be considered the spiritual forerunner of both his most famous successors in this field Spengler and Toynbee—even though neither of the two pays any attention to him probably because no translation in the language of either author existed at the moment of his writing

The object of Danilevsky s treatise was as its title indicates not to draw up a comparative philosophy of civilizations it was primarily to scrutinize the relations between Europe and Russia and to explain why these relations were inimical and were bound to remain so throughout the generations This fact is ascribed by the author to an instinctive antipathy which Europe harbors against Russia a country she considers alien to herself this resentment in turn is traced to the circumstance that European civilization is on the decline whereas that of Russia is in its ascendancy

The picture which the author paints of the aggressiveness which Europe has shown toward Russia in the course of centuries and of the distrust with which it has consistently answered Russian sincerity is of even more interest today if only for the insight it gives in the way the Slav mind views Europe However this part of Danilevsky s study is not directly relevant to the subject of this book and we can therefore confine ourselves to recommending its reading to all those who have to deal with Russia s relations with the West

It is as a side line to his sketch of this antagonism between

In practice this means that we shall first try to find certain characteristics of the rise and fall of civilizations (Part I) we shall then measure our present time by them (Part II) and finally draw the conclusions for the future of Western civilization (Part III)

# II

# *A Russian View Nikolai Danilevsky*

THE idea that history repeats itself in the rise and fall of civili zations is by no means an invention of our time The Stoics Machiavelli Montaigne and others held a similar idea but none of them tried to test it thoroughly against the facts of history

The first to elaborate slightly on this idea was the eighteenth century Italian philosopher Giovanni Battista Vico who de veloped a theory of *ricorsi* (historical returns) Each nation in his opinion went through an identical cycle rising from a heroic age of barbarism of the senses to a phase of true civilization and relapsing in an overintellectual decadent bar barism of reflection after which the cycle of civilization closed —only to be succeeded by a new cycle similar to the preceding but with fresh cultural values added and therefore richer than its predecessor

It was to take another hundred and fifty years before a more thorough comparison between different civilizations was drawn up And even then it happened in an almost haphazard way in the course of a study dealing with a different subject

In 1869 Nikolai Danilevsky a brilliant Russian government official who had produced studies on widely varied subjects

ran ing from history to linguistics and from Darwinism to the devaluation of the Russian ruble published in the magazine *Zaria* a series of articles entitled Russia and Europe a View point on the Political Relations between the Slavic and Germano-Romanic Worlds" In Russia the work immediately aroused great interest, but not until 1890 was a French translation published and not until 1920 a German one An English translation has never appeared with the result that in the Anglo Saxon world his ideas are even today little known Yet they are of such wide scope and penetrating character that he may well be considered the spiritual forerunner of both his most famous successors in this field Spengler and Toynbee—even though neither of the two pays any attention to him probably because no translation in th language of either author existed at the moment of his writing

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Europe and Russia that Danilevsky sets forth his theory about the development of what he calls historico cultural types but which we shall merely indicate as civilizations

European civilization is by no means the universal civilization —a thought new in those days—nor is it the only dynamic or progressive one savs the Russian author it is but one of many it covers only the area of the Germano Romanic civilization Most other civilizations, including to a certain extent even the Hellenic originated outside Europe So did the Russian for Russia does not belong to Europe in the sense that it is a part or even an offshoot of its civilization it has taken almost no share in the life and experiences of Europe but has led an existence of its own

After thus having attacked and disposed of the self-centeredness which up to then characterized the Western view of history and civilization Danilevsky proceeds to develop his thesis that the total history of mankind is composed of a number of different historical cultural types each of which has its own character and its own contribution to make to the cultural treasury of mankind Danilevsky distinguishes twelve such civilizations which are in chronological order the Egyptian the Chinese the Assyro Babylonian the Phoenician Chaldean or Ancient Semitic the Hindu the Iranian the Hebrew the Greek the Roman the Neo Semitic or Arabian and the Germano Romanic or European and in the Western Hemisphere the Mexican and the Peruvian which both met violent death without completing their life course

Danilevsky divides all human tribes and peoples into three groups according to the part they play with regard to civilization The first group comprises those who constitute positive i e creative forces by bringing forth the civilizations enumerated above The second group comprises the peoples which play a negative or destructive role such as the Mongols the Huns and the Turks in earlier times The third group comprises those populations which neither reach the level of civilizations nor act as the de

stroyer of decaying civilizations they constitute the amorphous masses which do not make history either in the positive or nega tive way but are used by the positive or negative historical forces as passive material for their activity and achievement

Besides the positive cultural types of civilizations there are in the human universe intermittent temporary agencies like the Huns the Mongols and the Turks who having performed their destructive mission have helped dying civilizations to die and then scattering their remains return to their previous nothingness and disappear We can call them the *negative agencies* of history Sometimes however constructive as well as destructive missions are performed by the same tribe as for instance by the Germans and the Arabs Finally there are tribes or peoples whose creative *élan* is for som reason *arrested* at an early stage and who are th efore destined to be neither constructive nor destructive neither positive nor negative agencies of history They present *only ethnographic material* a sort of inorganic matter entering the historical organisms the historico-cultural types Undoubtedly these tribes increase the variety and richne s of the historical types but in *themselves* they do not achieve any historical individuality

Sometimes the dead and decayed civilizations disintegrate to the level of this ethnographic material until a new formative (creative) principle unites their elements with a mixture of other elements into a new historical organism until this principle calls them to an independent historical life in the form of a new historico-cultural type The peoples that made up the Western Roman Empire serve as an example of this They became ethnographic material after the disintegration of the Empire and re emerged in a new form known as the Romanic peoples after experiencing the influence of the Germanic formative principle

To sum up The historical role of a tribe or people is three fold it is either the positive creative role of a historico-cultural type (civilization) or the destructive role—the so-called scourges of God that render the *coup de grace* to senile agonizing civilizations or the role of serving the purposes of others as ethnographic material (*Zaria* No 2 pp 89 91 )

Danilevsky then proceeds to formulate five general laws or similarities which apply to all peoples in comparable phases of development.

The fourth of these laws which stresses the necessity of di

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The claims of the individual to be free and the necessity for the state to control are counter pressures of vast concern to modern assayers of reconciliation For the Jacksonians, however, the problem seemed far simpler

They lived closer than we to an era in which control was vested in but a limited number of institutions a monarchy and a hierarchy were the most important Freedom they thought, must come as the inevitable result of the destruction of monarchy and hierarchy Control was not so much necessary as traditional Dispose of tradition and, in particular of traditional forms, and you have freedom Whatever limitations must arise will come as the result of self limitation, self-control Thus by self government the Jacksonians meant a resolution of the tension of freedom and authority in which the authority was exercised freely by free men in which control was not from above but rather from oneself in which government was not over the people, but rather government of the people by the people as before Lincoln the idea was phrased in the introductory article to the first issue of *The Democratic Review* which is here included

The American Revolution had destroyed monarchy in their country Even the brief flurry of excitement of the early years of the Republic, when the Federalists had been accused in some few cases with reason of desiring a return to monarchy had died down The American nation had lived without a king for half a century it had proved to the satisfaction of its own people and to the dismay of the royalists of the rest of the world that kings were decorative luxuries rather than necessities

As for hierarchy while it presented more of a current threat it had never really gained a foothold in America There were too many different religious settlements in colonial America for any one of them to establish itself as dominant over more than a limited area Even this much of dominance was unusual Yet the priesthood was regarded as insidious and dangerous of this the Jacksonians were fully convinced Their fear of priesthood added to the ever present xenophobia on both cultural and economic bases led to the ready acceptance of native Americanism by some fragments of the Jacksonian group

Monarchy then had been eliminated and the fear of ecclesiastical hierarchies was a shying away from shadows Yet there was a strong controlling power which the Jacksonians justly feared in politics and

another in their economic life and more than either they dreaded their combination

The first was a strong central government Self-government in their opinion had to be local government Their spokesmen rang the changes on the Jeffersonian theme that the best government is that which governs least Their major objection to taxation would seem to have been the use of the funds thus collected in governmental activity Congress said Jackson himself in his farewell to the people he had served, 'has no right under the Constitution to take money from the people unless it is required to execute some one of the specific powers intrusted to the Government Jackson like most of his followers insisted on the limitation of the government at Washington to specific powers This was the basis of the Jacksonian opposition to the Whig policy in which Henry Clay was so interested of government-sponsored internal improvements such as roads and canals.

In 1830 Congress passed a bill authorizing the Federal Government to purchase stock in a private company to build a road from Maysville to Lexington Kentucky and thus to give its financial support to an internal improvement Jackson vetoed this bill and his reputation for having unduly strengthened the executive branch of the government is largely based upon his resolute stand in this matter to which he later referred as a plan of unconstitutional expenditure for the purpose of corrupt influence

Jackson s heir Martin Van Buren carried on the fear of strong government He went so far as to insist that it was indispensable that the general government should have difficulty in raising funds in order to guarantee economical government In no other way can extravagance be prevented he wrote to the Democrats of Indiana who were investigating his fitness as a candidate for the 1844 nomination 'It is the nature of man to spend that heedlessly which he acquires without effort and to think little of that which costs little trouble to gain.

So too William Leggett whose services to the Jacksonian cause in his editorials in the *New York E ening Post* and in the *Plaindealer* were important wrote of the 'True Functions of Government that they are restricted to the making of *general laws* uniform and universal in their operation, for these purposes and for no other He

insisted that government has no power to legislate in such a way that one class gains an advantage over any other, nor to tamper with individual industry a single hair's breadth beyond what is essential to protect the rights of person and property In Leggett s writings it is clear that the Jacksonians spoke as a rule for a middle class He attacks the Federal Government for having assumed authority over the people like that of parents 'and with about the same degree of impartiality One child becomes a favorite because he has made a fortune and another because he has failed in the pursuit of that object, one because of its beauty and another because of its deformity Thus he censures with an even hand the granting of favors to the wealthy and of relief to the poverty stricken an attitude which places the ' poor' laborers for whom he claims to talk squarely in the middle

The other great journalist in the Jacksonian tradition was Walt Whitman, who appeared toward the end when the pro-slavery forces had all but swamped the democratic elements in the Democratic party Whitman's editorials were a clarion call to return to the themes of the Jacksonians Whitman, too emphasized the principle of freedom from officious and overactive government *Men* must be masters unto themselves and not look to presidents and legislative bodies for aid He insists that It is only the novice in political economy who thinks it the duty of government to *make* its citizens happy Reforms cannot be forced upon men they must work their way through the minds of individual Not that legislation is com pletely useless The legislature may and should when such things fall in its way lend its potential weight to the cause of virtue and happiness It is only that We generally expect a great deal too much of law and that there is a tendency to forget that the misuse and intrusions of government have always been effected under the specious pretext of bringing about the increased happiness of the whole community The only necessary function of government is to prevent any man or group of men from infringing on the rights of other men

Whitman described the past of the United States as our great experiment of how much liberty society will bear In this he but followed Charles Stewart Daveis who nearly a quarter of a century earlier when the Jacksonian impulse was just arising in Jeffersonian democracy had said We have entered upon a sober experiment how far the simple moral principles of society are competent for their own

political preservation The simple moral principles of society involve the self-control of the entire people Such self-government is certainly the expedient in political life the problem is yet to be solved how far the expedient is practicable for reconciling authority with liberty

Thus the Jacksonians spoke for freedom as they spoke of politics Like their predecessors the Jeffersonian democrats of the Age of Reason they felt the eyes of the world upon them as they carried out the American experiment in democracy Like the Jeffersonians too they thought of this experiment as carrying out the enterprise of freedom

## The Freedom of Enterprise

This enterprise of freedom the Jacksonians tried to explore on the economic level as well as the political They took all too seriously the laissez faire themes of economic liberalism Here even more than in their political thinking they lost sight of the need for control under the spur of the urge to liberty Their economic thought had *senti* mental appeal but was scientifically unsound

The strong controlling economic force which they feared was a centralized bank and it was such a bank which they inherited from their predecessors in political control Indeed the Second Bank of the United States was a financial octopus whose stockholders made outrageous profits at the expense of the Government and therefore at the expense of the citizens A great deal of the criticism which the Jacksonians levelled at the Bank was justified The Bank directors were shameless in their purchase of members of Congress Daniel Webster s relations with the directors are too well known to be worth repeating and too scandalous to have been repeated as frequently as they have been The combination of Bank and State the development of which the Jacksonians feared was virtually a reality by the time the Bank s charter came up for renewal in 1832 Jackson s veto of the bill rechartering the Bank was one of the most popular acts of his administration

The Jacksonians however much they disliked the Bank and dis trusted the financial oligarchy which directed its affairs were at a loss to provide an acceptable substitute Their principles forbade any attempt at restriction or control of the Bank by the Government A strong government would have been necessary for that solution to

be effective No more could they advocate that the Government should enter into the banking business for the same reason It was characteristic of the Jacksonians that they denied the right of the Government to issue paper money which they interpreted literally as promissory notes

The solutions which the Jacksonian theorists proposed had to be based on a policy of decentralization They favored a decentralized state, they proposed the decentralization of banking The degree to which they carried such proposals differed Where more conservative Jacksonians like Jackson himself advocated a system of state banks extremists like New York's anti monopolists under the leadership of Theodore Sedgwick Jr and Dr John Vethake believed that banking should be thrown completely open to the public that any man who so desired should be allowed to open a bank Banking said this group, is an honorific name for the money trade for the buying and selling of credit and should be no more restricted than any other business

Altogether the theme of monopoly loomed large in Jacksonian economic thought Stated very generally, the position taken was that any corporate charter was a grant of privilege tantamount to a monopoly To obviate the problems thus created either no such charters should be granted or all who applied should be given charters That is either no one or everyone should be granted a monopoly If no one were to be granted a corporate charter the disadvantages would be great in partnerships or individual businesses for example there is unlimited liability which may be good from the viewpoint of the creditors but not in the view of the business man Corporate charters on the other hand provided a desirable limitation of liability The alternative was then to issue corporate charters as a matter of routine to all applicants Thus every man would be his own monopolist and all would be equal Had this theory been put into practice the result would have exceeded the Ruritanian imaginings of W S Gilbert

Yet with minor individual variations this was the economic theory which the Jacksonians called free trade They carried their theory sometimes to absurd lengths William Cullen Bryant well known as a poet is perhaps less well known as one of the chief editors of the *New York Evening Post* and a leader of the Locofoco democrats of

New York In one of his editorials which is here reprinted Bryant declares his objection to usury laws as a form of government interference with free trade That such laws made it possible for mechanics and small business men to borrow money without getting into the hands of oppressive extortioners did not offset the fact that these laws required the government to intervene between money seller and money buyer Surely this may well be called consistency carried out to absurd lengths

On a different tangent Thomas Skidmore realized that however equal the opportunities for free trading were kept in any one generation the inheritance of property prevented the members of any one generation from getting off to an equal start In his book called *The Rights of Man to Property!* Skidmore worked out an elaborate and detailed but fantastic scheme whereby within each generation there might be complete freedom of enterprise but property could not be handed down from generation to generation Each new individual got off to a fresh start by being assigned his equal share of the world s property out of the estates of those who died the year the new owners were born

Although such faddism cannot be completely eliminated in presenting Jacksonian social theory it must be remembered that every social movement has its lunatic fringe of those who take its slogans seriously as guides to action rather than lightly as devices for catching votes or support There were sounder and more moderate economic thinkers among the Jacksonians William Gouge was one his *Short History of Paper Money and Banking in the United States* is a careful account based on whatever statistical information was available in his time It is informed by hostility to banking and to paper money Gouge was as anxious for data which could be used to attack the Second Bank of the United States as Nicholas Biddle was to collect data in support of his Bank Gouge s *History* was a platform for the discussion of an economic program which might have been though it never actually was tried in practice

Again David Henshaw s analysis of the Dartmouth College Case showed a clear grasp of the fundamental socio-economic issues which underlay the purely legal aspects of the decision of the Supreme Court He realized that in declaring corporate charters to be perpetual unbreakable contracts between the state and the corporations

Justice Marshall and the members of his Court were placing the then existing corporations outside of the law and thus giving them a status of extraordinary privilege which was dangerous to the well being of a democratic United States

To this list of more conservative thinkers on economic themes should certainly be added the names of Stephen Simpson and Gilbert Vale Both of these men were primarily publicists rather than economists yet both of them realized that the artisan class for which they spoke could not engage in any considerable political activity without a basic acquaintance with economic theory Simpson stated specifically his intention to write of political economy from the viewpoint of the American workers Vale was clearly writing for the same group though he did not address himself explicitly to it Vale, in particular should be recognized as a belated devotee of the Age of Reason He still wrote without affectation of government as a voluntary compact for mutual protection of natural rights and of the legitimate object of legislators and governors which is to *protect* the natural rights of man and not to take the control of the property of society Both Simpson and Vale adhered to the theory that value is created by labor Vale argued against those who would destroy or prohibit the use of machinery that the machine added to the value the laborer could produce and was therefore desirable

Thus on the plane of economics the Jacksonians transformed faith in the enterprise of freedom into belief in the freedom of enterprise Some were sober in their programs while others devoted themselves to impossibly Quixotic schemes for the reformation of the social order In a word Jacksonian politics was egalitarian Jacksonian economics libertarian

## A Program for Labor

If this is so two of the three watchwords of the French Revolution have been accounted for It is possible to find an expression of the third watchword fraternity among the Jacksonians but always on class lines never on a national basis When Theophilus Fisk declared that capital and labor were in perpetual conflict he was but making explicit one of the assumptions common among the Jacksonians To Fisk and the others capital meant an oligarchy of those who lived on the work of others which was united against a disunited class of those who worked themselves

The obvious solution was that this working class should unite to meet the unity of its opponents General Trades Unions and Workingmen s parties were the institutions which they thought should be encouraged to strengthen working class unity From Philadelphia from Boston from New York came the call for the mechanics to unite Langdon Byllesby a Philadelphian proposed what might today be called producer s cooperatives as the remedy for existing inequalities Ely Moore master printer and later member of Congress from New York and Frederick Robinson of Boston limited their recommendations to the organization of unions and federations of unions All alike were hopeful of great achievement through organization This was their version of fraternity

## CONCLUSION

These introductory remarks and the volume of selections they preface should make it clear to the discerning reader why the Jacksonian movement and the party in which the movement was given partial expression have proved so difficult to interpret It was a catch all movement united in its opposition to the financial and commercial monopolies of the three large cities of Boston Philadelphia and New York The nucleus of the movement everywhere was the same a relatively well-educated and politically conscious group of lawyers journalists and skilled mechanics whose interests coincided with those of the slave-owning planters of the Southern States No single statement can cover the variety of positive programs they enunciated They were agreed on where they did not want the United States to go but differed sharply on everything else

Those who have tried to interpret this diversity into unity call to mind the blind men who described an elephant on the basis of partial sensory experience of the animal To depict a unity of view where a multiplicity of views is evident is a clearer characterization of the observers than of the observed To deny even the unity of dissent is equally narrow It is for that reason that the Jacksonians as here presented emerge as a microcosm of the United States as a diversity in unity

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One final comparison. As one drives out of any large city on a major highway, he is bound to see a large signpost with arrows pointing him

to many possible destinations These arrows have but one thing in common all alike point away from the city he has just left Let this stand as a symbol of Jacksonians Though they pointed to many different possible American futures all alike pointed away from an America of privilege and monopoly

PART ONE

# The Ideal of Self Government

# 1

# ANDREW JACKSON

## A POLITICAL TESTAMENT[1]

BEING ABOUT to retire finally from public life I beg leave to offer you my grateful thanks for the many proofs of kindness and confidence which I have received at your hands It has been my fortune in the discharge of public duties civil and military frequently to have found myself in difficult and trying situations where prompt decision and energetic action were necessary and where the interest of the country required that high responsibilities should be fearlessly encountered and it is with the deepest emotions of gratitude that I acknowledge the continued and unbroken confidence with which you have sustained me in every trial My public life has been a long one and I cannot hope that it has at all times been free from errors But I have the consolation of knowing that if mistakes have been committed they have not seriously injured the country I so anxiously endeavored to serve and at the moment when I surrender my last public trust I leave this great people prosperous and happy in the full enjoyment of liberty and peace and honored and respected by every nation of the world

If my humble efforts have in any degree contributed to preserve to you these blessings I have been more than rewarded by the honors you have heaped upon me and above all by the generous confidence with which you have supported me in every peril and with which you have continued to animate and cheer my path to the closing hour of my political life The time has now come when advanced age and a broken frame warn me to retire from public concerns but the recollection of the many favors you have bestowed upon me is engraven upon my heart and I have felt that I could not part from your service without making this public acknowledgment of the gratitude I owe you And if I use the occasion to offer to you the counsels of age and experience you will I trust receive them with the same indulgent

[1] [From *Farewell Address of Andrew Jackson to the People of the United States and the Inaugural Address of Martin Van Buren President of the United States* (Washington, 1837) pp 3 16 — Text complete]

kindness which you have so often extended to me, and will, at least, see in them an earnest desire to perpetuate in this favored land the blessings of liberty and equal laws

[THE STATE OF THE NATION]

We have now lived almost fifty years under the Constitution framed by the sages and patriots of the Revolution The conflicts in which the nations of Europe were engaged during a great part of this period the spirit in which they waged war against each other, and our intimate commercial connections with every part of the civilized world rendered it a time of much difficulty for the Government of the United States We have had our seasons of peace and of war, with all the evils which precede or follow a state of hostility with powerful nations We encountered these trials with our Constitution yet in its infancy and under the disadvantages which a new and untried Government must always feel when it is called upon to put forth its whole strength without the lights of experience to guide it or the weight of precedents to justify its measures But we have passed triumphantly through all these difficulties Our Constitution is no longer a doubtful experiment, and at the end of nearly half a century we find that it has preserved unimpaired the liberties of the people secured the rights of property and that our country has improved and is flourishing beyond any former example in the history of nations

In our domestic concerns there is everything to encourage us, and if you are true to yourselves nothing can impede your march to the highest point of national prosperity The States which had so long been retarded in their improvement by the Indian tribes residing in the midst of them are at length relieved from the evil and this unhappy race — the original dwellers in our land — are now placed in a situation where we may well hope that they will share in the blessings of civilization and be saved from that degradation and destruction to which they were rapidly hastening while they remained in the States and while the safety and comfort of our own citizens have been greatly promoted by their removal the philanthropist will rejoice that the remnant of that ill fated race has been at length placed beyond the reach of injury or oppression and that the paternal care of the General Government will hereafter watch over them and protect them

If we turn to our relations with foreign powers we find our con

dition equally gratifying Actuated by the sincere desire to do justice to every nation and to preserve the blessings of peace our inter course with them has been conducted on the part of this Government in the spirit of frankness and I take pleasure in saying that it has generally been met in a corresponding temper Difficulties of old standing have been surmounted by friendly discussion and the mutual desire to be just and the claims of our citizens which had been long withheld have at length been acknowledged and adjusted and satisfactory arrangements made for their final payment [1] and with a limited and I trust a temporary exception our relations with every foreign power are now of the most friendly character our commerce continually expanding and our flag respected in every quarter of the world.

[THE NEED FOR UNITY IN THE UNION]

These cheering and grateful prospects and these multiplied favors we owe under Providence to the adoption of the Federal Constitu tion It is no longer a question whether this great country can remain happily united and flourish under our present form of govern ment. Experience the unerring test of all human undertakings has shown the wisdom and foresight of those who formed it and has proved that in the union of these States there is a sure foundation for the brightest hopes of freedom and for the happiness of the people At every hazard and by every sacrifice this Union must be preserved

The necessity of watching with jealous anxiety for the preservation of the Union was earnestly pressed upon his fellow citizens by the Father of his country in his farewell address He has there told us that while experience shall not have demonstrated its impractica bility there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bonds and he has cautioned us in the strongest terms against the formation of parties on geographical discriminations as one of the means which might disturb our union and to which designing men would be likely to resort.

The lessons contained in this invaluable legacy of Washington to his countrymen should be cherished in the heart of every citizen to the latest generation and perhaps at no period of time could they

[1] [This refers to the Spol ton Claims against Franc ]

be more usefully remembered than at the present moment For when we look upon the scenes that are passing around us and dwell upon the pages of his parting address, his paternal counsels would seem to be not merely the offspring of wisdom and foresight, but the voice of prophecy foretelling events and warning us of the evil to come Forty years have passed since this imperishable document was given to his countrymen The Federal Constitution was then regarded by him as an experiment, and he so speaks of it in his address, but an experiment upon the success of which the best hopes of his country depended, and we all know that he was prepared to lay down his life, if necessary to secure to it a full and a fair trial The trial has been made It has succeeded beyond the proudest hopes of those who framed it Every quarter of this widely extended nation has felt its blessings and shared in the general prosperity produced by its adoption But amid this general prosperity and splendid success the dangers of which he warned us are becoming every day more evident and the signs of evil are sufficiently apparent to awaken the deepest anxiety in the bosom of the patriot We behold systematic efforts publicly made to sow the seeds of discord between different parts of the United States and to place party divisions directly upon geographical distinctions to excite the *south* against the *north* and the *north* against the *south* and to force into the controversy the most delicate and exciting topics topics upon which it is impossible that a large portion of the Union can ever speak without strong emotion Appeals too are constantly made to sectional interests in order to influence the election of the Chief Magistrate as if it were desired that he should favor a particular quarter of the country instead of fulfilling the duties of his station with impartial justice to all and the possible dissolution of the Union has at length become an ordinary and familiar subject of discussion Has the warning voice of Washington been forgotten? or have designs already been formed to sever the Union? Let it not be supposed that I impute to all of those who *have taken an active part* in these unwise and unprofitable discussions a want of patriotism or of public virtue The honorable feeling of State pride and local attachments find a place in the bosoms of the most enlightened and pure But while such men are conscious of their own integrity and honesty of purpose they ought never to forget that the citizens of other States are their political brethren

and that however mistaken they may be in their views the great body of them are equally honest and upright with themselves Mutual suspicions and reproaches may in time create mutual hostility and artful and designing men will always be found who are ready to foment these fatal divisions and to inflame the natural jealousies of different sections of the country The history of the world is full of such examples and especially the history of republics

What have you to gain by division and dissension? Delude not yourselves with the belief that a breach once made may be afterwards repaired If the Union is once severed the line of separation will grow wider and wider and the controversies which are now debated and settled in the halls of legislation will then be tried in fields of battle and determined by the sword Neither should you deceive yourselves with the hope that the first line of separation would be the permanent one and that nothing but harmony and concord would be found in the new associations formed upon the dissolution of this Union Local interests would still be found there and unchastened ambition And if the recollection of common dangers in which the people of these United States stood side by side against the common foe the memory of victories won by their united valor the prosperity and happiness they have enjoyed under the present Constitution the proud name they bear as citizens of this great republic if all these recollections and proofs of common interest are not strong enough to bind us together as one people what tie will hold united the new divisions of empire when these bonds have been broken and this Union dissevered? The first line of separation would not last for a single generation new fragments would be torn off new leaders would spring up and this great and glorious republic would soon be broken into a multitude of petty states without commerce without credit jealous of one another armed for mutual aggression loaded with taxes to pay armies and leaders seeking aid against each other from foreign powers insulted and trampled upon by the nations of Europe until harassed with conflicts and humbled and debased in spirit they would be ready to submit to the absolute dominion of any military adventurer and to surrender their liberty for the sake of repose It is impossible to look on the consequences that would inevitably follow the destruction of this Government and not feel indignant when we hear cold calculations about the value of the

Union and have so constantly before us a line of conduct so well calculated to weaken its ties

There is too much at stake to allow pride or passion to influence your decision Never for a moment believe that the great body of the citizens of any State or States can deliberately intend to do wrong They may, under the influence of temporary excitement or misguided opinions, commit mistakes they may be misled for a time by the suggestions of self interest but in a community so enlightened and patriotic as the people of the United States, argument will soon make them sensible of their errors, and when convinced, they will be ready to repair them If they have no higher or better motives to govern them, they will at least perceive that their own interest requires them to be just to others as they hope to receive justice at their hands

*[Nullification and States Rights]*

But in order to maintain the Union unimpaired it is absolutely necessary that the laws passed by the constituted authorities should be faithfully executed in every part of the country and that every good citizen should at all times stand ready to put down with the combined force of the nation every attempt at unlawful resistance under whatever pretext it may be made or whatever shape it may assume Unconstitutional or oppressive laws may no doubt be passed by Congress either from erroneous views or the want of due consideration if they are within the reach of judicial authority the remedy is easy and peaceful and if from the character of the law it is an abuse of power not within the control of the judiciary then free discussion and calm appeals to reason and to the justice of the people will not fail to redress the wrong But until the law shall be declared void by the courts or repealed by Congress no individual or combination of individuals can be justified in forcibly resisting its execution It is impossible that any Government can continue to exist upon any other principles It would cease to be a Government and be unworthy of the name if it had not the power to enforce the execution of its own laws within its own sphere of action

It is true that cases may be imagined disclosing such a settled purpose of usurpation and oppression on the part of the Government as would justify an appeal to arms These however are extreme cases which we have no reason to apprehend in a Government where the

power is in the hands of a patriotic people and no citizen who loves his country would in any case whatever resort to forcible resistance unless he clearly saw that the time had come when a freeman should prefer death to submission for if such a struggle is once begun and the citizens of one section of the country arrayed in arms against those of another in doubtful conflict let the battle result as it may there will be an end of the Union and with it an end to the hopes of freedom The victory of the injured would not secure to them the blessings of liberty it would avenge their wrongs but they would themselves share in the common ruin

But the Constitution cannot be maintained nor the Union preserved in opposition to public feeling by the mere exertion of the coercive powers confided to the General Government The foundations must be laid in the affections of the people in the security it gives to life liberty character and property in every quarter of the country and in the fraternal attachment which the citizens of the several States bear to one another as members of one political family mutually contributing to promote the happiness of each other Hence the citizens of every State should studiously avoid everything calculated to wound the sensibility or offend the just pride of the people of other States and they should frown upon any proceedings within their own borders likely to disturb the tranquillity of their political brethren in other portions of the Union In a country so extensive as the United States and with pursuits so varied the internal regulations of the several States must frequently differ from one another in important particulars and this difference is unavoidably increased by the varying principles upon which the American colonies were originally planted principles which had taken deep root in their social relations before the Revolution and therefore of necessity influencing their policy since they became free and independent States But each State has the unquestionable right to regulate its own internal concerns according to its own pleasure and while it does not interfere with the rights of the people of other States or the rights of the Union every State must be the sole judge of the measures proper to secure the safety of its citizens and promote their happiness and all efforts on the part of people of other States to cast odium upon their institutions and all measures calculated to disturb their rights of property or to put in jeopardy their peace and internal tranquillity are in direct

opposition to the spirit in which the Union was formed and must endanger its safety Motives of philanthropy may be assigned for this unwarrantable interference and weak men may persuade themselves for a moment that they are laboring in the cause of humanity and asserting the rights of the human race, but everyone, upon sober reflection will see that nothing but mischief can come from these improper assaults upon the feelings and rights of others Rest assured that the men found busy in this work of discord are not worthy of your confidence and deserve your strongest reprobation

In the legislation of Congress also and in every measure of the General Government, justice to every portion of the United States should be faithfully observed No free Government can stand without virtue in the people and a lofty spirit of patriotism and if the sordid feelings of mere selfishness shall usurp the place which ought to be filled by public spirit the legislation of Congress will soon be converted into a scramble for personal and sectional advantages Under *our free institutions the citizens of every quarter of our country* are capable of attaining a high degree of prosperity and happiness without seeking to profit themselves at the expense of others and every such attempt must in the end fail to succeed for the people in every part of the United States are too enlightened not to understand their own rights and interests and to detect and defeat every effort to gain undue advantages over them and when such designs are discovered it naturally provokes resentments which cannot always be easily allayed *Justice full and ample justice* to every portion of the United States should be the ruling principle of every freeman and should guide the deliberations of every public body whether it be State or national

[LIMITS OF FEDERAL POWER]

It is well known that there have always been those amongst us who wish to enlarge the powers of the General Government and experience would seem to indicate that there is a tendency on the part of this Government to overstep the boundaries marked out for it by the Constitution Its legitimate authority is abundantly sufficient for all the purposes for which it was created and its powers being expressly enumerated there can be no justification for claiming anything beyond them Every attempt to exercise power beyond these limits should

be promptly and firmly opposed For one evil example will lead to other measures still more mischievous, and if the principle of constructive powers or supposed advantages or temporary circumstances shall ever be permitted to justify the assumption of a power not given by the Constitution the General Government will before long absorb all the powers of legislation and you will have in effect but one consolidated Government From the extent of our country its diversified interests different pursuits and different habits it is too obvious for argument that a single consolidated Government would be wholly inadequate to watch over and protect its interests and every friend of our free institutions should be always prepared to maintain unimpaired and in full vigor the rights and sovereignty of the States and to confine the action of the General Government strictly to the sphere of its appropriate duties

There is perhaps no one of the powers conferred on the Federal Government so liable to abuse as the taxing power The most productive and convenient sources of revenue were necessarily given to it that it might be able to perform the important duties imposed upon it and the taxes which it lays upon commerce being concealed from the real payer in the price of the article they do not so readily attract the attention of the people as smaller sums demanded from them directly by the tax gatherer But the tax imposed on goods enhances by so much the price of the commodity to the consumer and as many of these duties are imposed on articles of necessity which are daily used by the great body of the people the money raised by these imposts is drawn from their pockets Congress has no right under the Constitution to take money from the people unless it is required to execute some one of the specific powers intrusted to the Government and if they raise more than is necessary for such purposes it is an abuse of the power of taxation and unjust and oppressive It may indeed happen that the revenue will sometimes exceed the amount anticipated when the taxes were laid When however this is ascertained it is easy to reduce them and in such a case it is unquestionably the duty of the Government to reduce them for no circumstances can justify it in assuming a power not given to it by the Constitution nor in taking away the money of the people when it is not needed for the legitimate wants of the Government

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Plain as these principles appear to be you will yet find that there is a constant effort to induce the General Government to go beyond the limits of its taxing power and to impose unnecessary burdens upon the people Many powerful interests are continually at work to procure heavy duties on commerce and to swell the revenue beyond the real necessities of the public service and the country has already felt the injurious effects of their combined influence They succeeded in obtaining a tariff of duties bearing most oppressively on the agri cultural and laboring classes of society and producing a revenue that could not be usefully employed within the range of the powers con ferred upon Congress and, in order to fasten upon the people this unjust and unequal system of taxation extravagant schemes of internal improvement were got up in various quarters to squander the money and to purchase support Thus one unconstitutional measure was intended to be upheld by another, and the abuse of the power of taxation was to be maintained by usurping the power of expending the money in internal improvements You cannot have forgotten the severe and doubtful struggle through which we passed when the Executive Department of the Government by its veto endeavored to arrest this prodigal scheme of injustice and to bring back the legislation of Congress to the boundaries prescribed by the Constitution [1] The good sense and practical judgment of the people when the subject was brought before them sustained the course of the Executive and this plan of unconstitutional expenditure for the purpose of corrupt influence is I trust finally overthrown

The result of this decision has been felt in the rapid extinguishment of the public debt and the large accumulation of a surplus in the treas ury notwithstanding the tariff was reduced and is now very far below the amount originally contemplated by its advocates But rely upon it the design to collect an extravagant revenue and to burden you with taxes beyond the economical wants of the Govern ment is not yet abandoned The various interests which have com bined together to impose a heavy tariff and to produce an overflowing treasury are too strong and have too much at stake to surrender the contest The corporations and wealthy individuals who are engaged

[1] [The reference here is to Jackson s 1830 veto of a bill which authorized the government to purchase stock in a private company to build a road from Maysville to Lexington Kentucky — the Maysville Road Veto ]

in large manufacturing establishments desire a high tariff to increase their gains Designing politicians will support it to conciliate their favor and to obtain the means of profuse expenditure for the purpose of purchasing influence in other quarters and since the people have decided that the Federal Government cannot be permitted to employ its income in internal improvements efforts will be made to seduce and mislead the citizens of the several States by holding out to them the deceitful prospect of benefits to be derived from a surplus revenue collected by the General Government and annually divided among the States And if encouraged by these fallacious hopes the States should disregard the principles of economy which ought to characterize every republican Government and should indulge in lavish expenditures exceeding their resources they will before long find themselves oppressed with debts which they are unable to pay and the temptation will become irresistible to support a high tariff in order to obtain a surplus for distribution Do not allow yourselves my fellow citizens to be misled on this subject The Federal Government cannot collect a surplus for such purposes without violating the principles of the Constitution and assuming powers which have not been granted It is moreover a system of injustice and if persisted in will inevitably lead to corruption and must end in ruin The surplus revenue will be drawn from the pockets of the people from the farmer the mechanic and the laboring classes of society but who will receive it when distributed among the States where it is to be disposed of by leading State politicians who have friends to favor and political partisans to gratify? It will certainly not be returned to those who paid it and who have most need of it and are honestly entitled to it There is but one safe rule and that is to confine the General Government rigidly within the sphere of its appropriate duties It has no power to raise a revenue or impose taxes except for the purposes enumerated in the Constitution and if its income is found to exceed these wants it should be forthwith reduced and the burdens of the people so far lightened

[CURRENCY AND BANKING POLICY]

In reviewing the conflicts which have taken place between different interests in the United States and the policy pursued since the adoption of our present form of government we find nothing that has

produced such deep-seated evil as the course of legislation in relation to the currency The Constitution of the United States unquestionably intended to secure to the people a circulating medium of gold and silver But the establishment of a national bank by Congress with the privilege of issuing paper money *receivable in the payment of* the public dues and the unfortunate course of legislation in the several States upon the same subject drove from general circulation the constitutional currency and substituted one of paper in its place

It was not easy for men engaged in the ordinary pursuits of business whose attention had not been particularly drawn to the subject to foresee all the consequences of a currency exclusively of paper, and we ought not, on that account to be surprised at the facility with which laws were obtained to carry into effect the paper system Honest and even enlightened men are sometimes misled by the specious and plausible statements of the designing But experience has now proved the mischiefs and dangers of a paper currency and it rests with you to determine whether the proper remedy shall be applied

The paper system being founded on public confidence and having of itself no intrinsic value it is liable to great and sudden fluctuations thereby rendering property insecure and the wages of labor unsteady and uncertain The corporations which create the paper money cannot be relied upon to keep the circulating medium uniform in amount In times of prosperity when confidence is high they are tempted by the prospect of gain or by the influence of those who hope to profit by it to extend their issues of paper beyond the bounds of discretion and the reasonable demands of business And when these issues have been pushed on from day to day until public confidence is at length shaken then a reaction takes place and they immediately withdraw the credits they have given suddenly curtail their issues and produce an unexpected and ruinous contraction of the circulating medium which is felt by the whole community The banks by this means save themselves and the mischievous consequences of their imprudence or cupidity are visited upon the public *Nor does the evil stop here* These ebbs and flows in the currency and these indiscreet extensions of credit naturally engender a spirit of speculation injurious to the habits and character of the people We have already seen its effects in the wild spirit of speculation in the public lands and various kinds

of stock which within the last year or two seized upon such a multitude of our citizens and threatened to pervade all classes of society and to withdraw their attention from the sober pursuits of honest industry It is not by encouraging this spirit that we shall best preserve public virtue and promote the true interests of our country But if your currency continues as exclusively paper as it now is it will foster this eager desire to amass wealth without labor it will multiply the number of dependents on bank accommodations and bank favors the temptation to obtain money at any sacrifice will become stronger and stronger and inevitably lead to corruption which will find its way into your public councils and destroy at no distant day the purity of your Government Some of the evils which arise from this system of paper press with peculiar hardship upon the class of society least able to bear it A portion of this currency frequently becomes depreciated or worthless and all of it is easily counterfeited in such a manner as to require peculiar skill and much experience to distinguish the counterfeit from the genuine note These frauds are most generally perpetrated in the smaller notes which are used in the daily transactions of ordinary business and the losses occasioned by them are commonly thrown upon the laboring classes of society whose situation and pursuits put it out of their power to guard themselves from these impositions and whose daily wages are necessary for their subsistence It is the duty of every Government so to regulate its currency as to protect this numerous class as far as practicable from the impositions of avarice and fraud It is more especially the duty of the United States where the Government is emphatically the Government of the people and where this respectable portion of our citizens are so proudly distinguished from the laboring classes of all other nations by their independent spirit their love of liberty their intelligence and their high tone of moral character Their industry in peace is the source of our wealth and their bravery in war has covered us with glory and the Government of the United States will but ill discharge its duties if it leaves them a prey to such dishonest impositions Yet it is evident that their interests cannot be effectually protected unless silver and gold are restored to circulation

These views alone of the paper currency are sufficient to call for immediate reform but there is another consideration which should still more strongly press it upon your attention

Recent events have proved that the paper money system of this country may be used as an engine to undermine your free institutions, and that those who desire to engross all power in the hands of the few and to govern by corruption or force are aware of its power and prepared to employ it Your banks now furnish your only circulating medium, and money is plenty or scarce according to the quantity of notes issued by them While they have capitals not greatly disproportioned to each other, they are competitors in business and no one of them can exercise dominion over the rest, and although in the present state of the currency, these banks may and do operate injuriously upon the habits of business, the pecuniary concerns and the moral tone of society, yet from their number and dispersed situation they cannot combine for the purpose of political influence, and whatever may be the dispositions of some of them their power of mischief must necessarily be confined to a narrow space and felt only in their immediate neighborhoods

But when the charter for the Bank of the United States was obtained from Congress, it perfected the schemes of the paper system and gave to its advocates the position they have struggled to obtain from the commencement of the Federal Government down to the present hour The immense capital and peculiar privileges bestowed upon it enabled it to exercise despotic sway over the other banks in every part of the country From its superior strength it could seriously injure if not destroy the business of any one of them which might incur its resentment, and it openly claimed for itself the power of regulating the currency throughout the United States In other words, it asserted (and it undoubtedly possessed) the power to make money plenty or scarce at its pleasure at any time and in any quarter of the Union by controlling the issues of other banks and permitting an expansion or compelling a general contraction of the circulating medium according to its own will The other banking institutions were sensible of its strength and they soon generally became its obedient instruments ready at all times to execute its mandates and with the banks necessarily went also that numerous class of persons in our commercial cities who depend altogether on bank credits for their solvency and means of business and who are therefore obliged for their own safety to propitiate the favor of the money power by distinguished zeal and devotion in its service The result

of the ill advised legislation which established this great monopoly was to concentrate the whole moneyed power of the Union with its boundless means of corruption and its numerous dependents under the direction and command of one acknowledged head thus organizing this particular interest as one body and securing to it unity and concert of action throughout the United States and enabling it to bring forward upon any occasion its entire and undivided strength to support or defeat any measure of the Government In the hands of this formidable power, thus perfectly organized was also placed unlimited dominion over the amount of the circulating medium giving it the power to regulate the value of property and the fruits of labor in every quarter of the Union and to bestow prosperity or bring ruin upon any city or section of the country as might best comport with its own interest or policy

We are not left to conjecture how the moneyed power thus organized and with such a weapon in its hands would be likely to use it The distress and alarm which pervaded and agitated the whole country when the Bank of the United States waged war upon the people in order to compel them to submit to its demands cannot yet be forgotten The ruthless and unsparing temper with which whole cities and communities were oppressed individuals impoverished and ruined and a scene of cheerful prosperity suddenly changed into one of gloom and despondency ought to be indelibly impressed on the memory of the people of the United States If such was its power in a time of peace what would it not have been in a season of war with an enemy at your doors? No nation but the freemen of the United States could have come out victorious from such a contest yet if you had not conquered the Government would have passed from the hand of the many to the hands of the few and this organized money power from its secret conclave would have dictated the choice of your highest officers and compelled you to make peace or war as best suited their own wishes The forms of your government might for a time have remain d but its living spirit would have departed from it

The distress and sufferings inflicted on the people by the bank are some of the fruits of that system of policy which is continually striving to enlarge the authority of the Federal Government beyond the limits fixed by the Constitution The powers enumerated in that instrument do not confer on Congress the right to establish such a

corporation as the Bank of the United States and the evil consequences which followed may warn us of the danger of departing from the true rule of construction and of permitting temporary circumstances or the hope of better promoting the public welfare to influence, in any degree, our decisions upon the extent of the authority of the General Government Let us abide by the Constitution as it is written or amend it in the constitutional mode if it is found to be defective

The severe lessons of experience will, I doubt not be sufficient to prevent Congress from again chartering such a monopoly even if the Constitution did not present an insuperable objection to it But you must remember my fellow citizens, that eternal vigilance by the people is the price of liberty, and that you must pay the price if you wish to secure the blessing It behooves you therefore to be watchful in your States as well as in the Federal Government The power which the moneyed interest can exercise when concentrated under a single head, and with our present system of currency was sufficiently demonstrated in the struggle made by the Bank of the United States Defeated in the General Government the same class of intriguers and politicians will now resort to the States and endeavor to obtain there the same organization which they failed to perpetuate in the Union and with specious and deceitful plans of public advantages and State interests and State pride they will endeavor to establish in the different States one moneyed institution with overgrown capital and exclusive privileges sufficient to enable it to control the operations of the other banks Such an institution will be pregnant with the same evils produced by the Bank of the United States although its sphere of action is more confined, and in the State in which it is chartered the money power will be able to embody its whole strength and to move together with undivided force to accomplish any object it may wish to attain You have already had abundant evidence of its power to inflict injury upon the agricultural mechanical and laboring classes of society and over those whose engagements in trade or speculation render them dependent on bank facilities the dominion of the State monopoly will be absolute and their obedience unlimited With such a bank and a paper currency the money power would in a few years govern the State and control its measures and if a sufficient number of States can be induced to create such establishments the

time will soon come when it will again take the field against the United States and succeed in perfecting and perpetuating its organization by a charter from Congress

It is one of the serious evils of our present system of banking that it enables one class of society and that by no means a numerous one by its control over the currency to act injuriously upon the interests of all the others and to exercise more than its just proportion of influence in political affairs The agricultural the mechanical and the laboring classes have little or no share in the direction of the great moneyed corporations and from their habits and the nature of their pursuits they are incapable of forming extensive combinations to act together with united force Such concert of action may sometimes be produced in a single city or in a small district of country by means of personal communications with each other but they have no regular or active correspondence with those who are engaged in similar pursuits in distant places they have but little patronage to give to the press and exercise but a small share of influence over it they have no crowd of dependents above them who hope to grow rich without labor by their countenance and favor and who are therefore always ready to exercise their wishes The planter the farmer the mechanic and the laborer all know that their success depends upon their own industry and economy and that they must not expect to become suddenly rich by the fruits of their toil. Yet these classes of society form the great body of the people of the United States they are the bone and sinew of the country men who love liberty and desire nothing but equal rights and equal laws and who moreover hold the great mass of our national wealth although it is distributed in moderate amounts among the millions of freemen who possess it But with overwhelming numbers and wealth on their side they are in constant danger of losing their fair influence in the Government and with difficulty maintain their just rights against the incessant efforts daily made to encroach upon them The mischief springs from the power which the moneyed interest derives from a paper currency which they are able to control from the multitude of corporations with exclusive privileges which they have succeeded in obtaining in the different States and which are employed altogether for their benefit and unless you become more watchful in your States and check this spirit of monopoly and thirst for exclusive privileges you will in the

end, find that the most important powers of Government have been given or bartered away and the control over your dearest interests has passed into the hands of these corporations

The paper money system and its natural associates, monopoly and exclusive privileges have already struck their roots deep in the soil, and it will require all your efforts to check its further growth and to eradicate the evil The men who profit by the abuses and desire to perpetuate them will continue to besiege the halls of legislation in the General Government as well as in the States and will seek, by every artifice, *to mislead and deceive the public servants It is to yourselves* that you must look for safety and the means of guarding and perpetuating your free institutions In your hands is rightfully placed the sovereignty of the country and to you every one placed in authority is ultimately responsible It is always in your power to see that the wishes of the people are carried into faithful execution and their will when once made known, must sooner or later be obeyed And while the people remain, as I trust they ever will uncorrupted and incorruptible and continue watchful and jealous of their rights the Government is safe and the cause of freedom will continue to triumph over all its enemies

But it will require steady and persevering exertions on your part to rid yourselves of the iniquities and mischiefs of the paper system and to check the spirit of monopoly and other abuses which have sprung up with it and of which it is the main support So many interests are united to resist all reform on this subject that you must not hope the conflict will be a short one nor success easy My humble efforts have not been spared during my administration of the Government, to restore the constitutional currency of gold and silver and something I trust has been done towards the accomplishment of this *most desirable object But enough yet remains to require all your* energy and perseverance The power however is in your hands and the remedy must and will be applied if you determine upon it

### [THOUGHTS ON FOREIGN POLICY AND NATIONAL DEFENSE]

While I am thus endeavoring to press upon your attention the principles which I deem of vital importance in the domestic concerns of the country, I ought not to pass over, without notice the important considerations which should govern your policy towards foreign

powers It is unquestionably our true interest to cultivate the most friendly understanding with every nation and to avoid by every honorable means the calamities of war and we shall best attain this object by frankness and sincerity in our foreign intercourse by the prompt and faithful execution of treaties and by justice and impartiality in our conduct to all But no nation however desirous of peace can hope to escape occasional collisions with other powers and the soundest dictates of policy require that we should place ourselves in a condition to assert our rights if a resort to force should ever become necessary Our local situation our long line of seacoast indented by numerous bays with deep rivers opening into the interior as well as our extended and still increasing commerce point to the navy as our natural means of defense It will in the end be found to be the cheapest and most effectual and now is the time in a season of peace and with an overflowing revenue that we can, year after year add to its strength without increasing the burdens of the people It is your true policy For your navy will not only protect your rich and flourishing commerce in distant seas but will enable you to reach and annoy the enemy and will give to defense its greatest efficiency by meeting danger at a distance from home It is impossible by any line of fortifications to guard every point from attack against a hostile force advancing from the ocean and selecting its object but they are indispensable to protect cities from bombardment dock yards and naval arsenals from destruction to give shelter to merchant vessels in time of war and to single ships or weaker squadrons when pressed by superior force Fortifications of this description cannot be too soon completed and armed and placed in a condition of the most perfect preparation The abundant means we now possess cannot be applied in any manner more useful to the country and when this is done and our naval force sufficiently strengthened and our militia armed we need not fear that any nation will wantonly insult us or needlessly provoke hostilities We shall more certainly preserve peace when it is well understood that we are prepared for war

## [Conclusion]

In presenting to you my fellow citizens these parting counsels I have brought before you the leading principles upon which I endeavored to administer the Government in the high office with which

you twice honored me Knowing that the path of freedom is continually beset by enemies who often assume the disguise of friends I have devoted the last hours of my public life to warn you of the danger The progress of the United States under our free and happy institutions has surpassed the most sanguine hopes of the founders of the Republic Our growth has been rapid beyond all former example, in numbers in wealth in knowledge, and all the useful arts which contribute to the comforts and convenience of man, and from the earliest ages of history to the present day there never have been thirteen millions of people associated together in one political body who enjoyed so much freedom and happiness as the people of these United States You have no longer any cause to fear danger from abroad your strength and power are well known throughout the civilized world, as well as the high and gallant bearing of your sons It is from within among yourselves from cupidity from corruption from disappointed ambition and inordinate thirst for power, that factions will be formed and liberty endangered It is against such designs whatever disguise the actors may assume that you have especially to guard yourselves You have the highest of human trusts committed to your care Providence has showered on this favored land blessings without number and has chosen you as the guardians of freedom to preserve it for the benefit of the human race May He who holds in his hands the destinies of nations make you worthy of the favors He has bestowed and enable you with pure hearts and pure hands and sleepless vigilance to guard and defend to the end of time the great charge he has committed to your keeping

My own race is nearly run advanced age and failing health warn me that before long I must pass beyond the reach of human events and cease to feel the vicissitudes of human affairs I thank God that my life has been spent in a land of liberty and that He has given me a heart to love my country with the affection of a son And filled with gratitude for your constant and unwavering kindness I bid you a last and affectionate farewell

# THE DEMOCRATIC REVIEW

## AN INTRODUCTORY STATEMENT OF THE DEMOCRATIC PRINCIPLE[1]

THE CHARACTER and design of the work of which the first number is here offered to the public are intended to be shadowed forth in its name the *United States Magazine and Democratic Review* It has had its origin in a deep conviction of the necessity of such a work at the present critical stage of our national progress for the advocacy of that high and holy *democratic principle* which was designed to be the fundamental element of the new social and political system created by the American experiment for the vindication of that principle from the charges daily brought against it of responsibility for every evil result growing out in truth of adventitious circumstances and the adverse elements unhappily combined with it in our institutions for its purification from those corruptions and those hostile influences by which we see its beneficent and glorious tendencies to no slight extent perverted and paralyzed for the illustration of truth which we see perpetually darkened and confused by the arts of wily error for the protection of those great interests not alone of our country but of humanity looking forward through countless ages of the future which we believe to be vitally committed with the cause of American Democracy This is in broad terms the main motive in which this undertaking has had its origin this is the object towards which in all its departments more or less directly its efforts will tend

There is a great deal of mutual misunderstanding between our parties but in truth there does not exist in the people with reference to its great masses that irreconcilable hostility of opinions and leading principles which would be the natural inference from the violence

[1] [From the Introduction to *The United States Magazine and Democratic Review* I (October 1837) pp 1 15 This statement was probably written by John L. O Sullivan, part owner and political editor of the *Review* A few quotations have been deleted otherwise the text is complete ]

of the party warfare in which we are perpetually engaged There does exist it is true, an essential opposition of principles proceeding from opposite points of departure, between the respective political creeds or systems of our two great parties, the Democratic and the Whig but *we feel well assured that the great body of the latter party those* who supply their leaders and leading interests with their votes do not rightly understand the questions at issue in their true popular bearings, and that if these could but be exhibited in their proper lights to their sound minds and honest hearts they would soon be found ranged by the hundreds of thousands under the broad and bright folds of our democratic banner

[FIRST PRINCIPLE OF DEMOCRACY SELF GOVERNMENT]

So many false ideas have insensibly attached themselves to the term democracy, ' as connected with our party politics that we deem it necessary here at the outset, to make a full and free profession of the cardinal principles of political faith on which we take our stand principles to which we are devoted with an unwavering force of conviction and earnestness of enthusiasm which, ever since they were first presented to our minds have constantly grown and strengthened by contemplation of them and of the incalculable capabilities of social improvement of which they contain the germs

We believe then in the principle of *democratic republicanism* in its strongest and purest sense We have an abiding confidence in the virtue intelligence, and full capacity for self government of the great mass of our people, our industrious honest, manly intelligent millions of freemen

We are opposed to all self styled wholesome restraints on the free action of the popular opinion and will other than those which have for their sole object the prevention of precipitate legislation This latter object is to be attained by the expedient of the division of power, and by causing all legislation to pass through the ordeal of *successive forms to be sifted through the discussions of coordinate* legislative branches with mutual suspensive veto powers Yet all should be dependent with equal directness and promptness on the influence of public opinion the popular will should be equally the animating and moving spirit of them all and ought never to find in any of its own creatures a self imposed power capable when misused

either by corrupt ambition or honest error of resisting itself and defeating its own determined object We cannot therefore look with an eye of favor on any such forms of representation as by length of tenure of delegated power tend to weaken that universal and unrelaxing responsibility to the vigilance of public opinion which is the true conservative principle of our institutions.

The great question here occurs which is of vast importance to this country (Was it not once near dissolving the Union, and plunging it into the abyss of civil war?) of the relative rights of majorities and minorities Though we go for the republican principle of the supremacy of the will of the majority we acknowledge in general a strong sympathy with minorities and consider that their rights have a high moral claim on the respect and justice of majorities a claim not always fairly recognized in practice by the latter in the full sway of power when flushed with triumph and impelled by strong interests This has ever been the point of the democratic cause most open to assault and most difficult to defend This difficulty does not arise from any intrinsic weakness The democratic theory is perfect and harmonious in all its parts and if this point is not so self-evidently clear as the rest is generally in all candid discussion, conceded to be, it is because of certain false principles of government which have in all practical experiments of the theory been interwoven with the democratic portions of the system being borrowed from the example of anti-democratic systems of government We shall always be willing to meet this question frankly and fairly The great argument against pure democracy drawn from this source is this

Though the main object with reference to which all social institutions ought to be modelled is undeniably as stated by the democrat the greatest good of the greatest number, yet it by no means follows that the greatest number always rightly understands its own greatest good Highly pernicious error has often possessed the minds of nearly a whole nation while the philosopher in his closet and an enlightened few about him powerless again t the overwhelming current of popular prejudice and excitement have alone possessed the truth which the next generation may perhaps recognize and practice though its author now sainted has probably in his own time been its martyr The original adoption of the truth would have saved perhaps oceans of blood and mountains of misery and crime How much stronger

then the case against the absolute supremacy of the opinion and will of the majority, when its numerical preponderance is, as often happens comparatively small And if the larger proportion of the more wealthy and cultivated classes of the society are found on the side of the minority, the disinterested observer may well be excused if he hesitate long before he awards the judgment, in a difficult and complicated question in favor of the mere numerical argument Majorities are often as liable to error of opinion, and not always free from a similar proneness to selfish abuse of power, as minorities, and a vast amount of injustice may often be perpetrated, and consequent general social injury be done, before the evil reaches that extreme at which it rights itself by revolution moral or physical

We have here we believe correctly stated the anti democratic side of the argument on this point It is not to be denied that it possesses something more than plausibility It has certainly been the instrument of more injury to the cause of the democratic principle than all the bayonets and cannon that have ever been arrayed in support of it against that principle The inference from it is that the popular opinion and will must not be trusted with the supreme and absolute direction of the general interests, that it must be subjected to the conservative checks of minority interests and to the regulation of the more enlightened wisdom of the 'better classes and those to whom the possession of a property test of merit gives what they term a stake in the community And here we find ourselves in the face of the great stronghold of the anti democratic or *aristocratic* principle

It is not our purpose in this place to carry out the discussion of this question The general scope and tendency of the present work are designed to be directed towards the refutation of this sophistical reasoning and inference It will be sufficient here to allude to the leading ideas by which they are met by the advocate of the pure democratic cause

In the first place the greatest number are *more likely* at least as a general rule to understand and follow their own greatest good than is the minority

In the second a minority is much more likely to abuse power for the promotion of its own selfish interests at the expense of the majority of numbers the substantial and producing mass of the nation than

the latter is to oppress unjustly the former The social evil is also in that case proportionally greater This is abundantly proved by the history of all aristocratic interests that have existed in various degrees and modifications in the world A majority cannot subsist upon a minority while the natural and in fact uniform tendency of a minority entrusted with governmental authority is to surround itself with wealth splendor and power at the expense of the producing mass creating and perpetuating those artificial social distinctions which violate the natural equality of rights of the human race and at the same time offend and degrade the true dignity of human nature

In the third place there does not naturally exist any such original superiority of a minority class above the great mass of a community in intelligence and competence for the duties of government even putting out of view its constant tendency to abuse from selfish motives and the safer honesty of the mass The general diffusion of education the facility of access to every species of knowledge important to the great interests of the community the freedom of the press whose very licentiousness cannot materially impair its permanent value in this country at least make the pretensions of those self styled 'better classes to the sole possession of the requisite intelligence for the management of public affairs too absurd to be entitled to any other treatment than an honest *manly contempt* As far as superior knowledge and talent confer on their possessor a natural charter of privilege to control his associates and exert an influence on the direction of the general affairs of the community the free and natural action of that privilege is best secured by a perfectly free democratic system which will abolish all artificial distinctions and preventing the accumulation of any social obstacles to advancement will permit the free development of every germ of talent wherever it may chance to exist whether on the proud mountain summit in the humble valley or by the wayside of common life

But the question is not *yet satisfactorily* answered how the relation between majorities and minorities in the frequent case of a collision of sentiments and particular interests is to be so adjusted as to secure a mutual respect of rights to preserve harmony and good will and save society from the *malum extremum discordia* from being as a house divided against itself and thus to afford free scope to that competition discussion and mutual moral influence which cannot but

result in the end in the ascendancy of the truth and in "the greatest good of the greatest number' On the one side, it has only been shown that the absolute government of the majority does not always afford a perfect guarantee against the misuse of its numerical power over the weakness of the minority *On the other, it has been shown that* this chance of misuse is, as a general rule, far less than in the opposite relation of the ascendancy of a minority, and that the evils attendant upon it are infinitely less, in every point of view in the one case than the other But this is not yet a complete or satisfactory solution of the problem Have we but a *choice of evils? Is there* then such a radical deficiency in the moral elements implanted by its Creator in human society that no other alternative can be devised by which both evils shall be avoided and a result attained more analogous to the beautiful and glorious harmony of the rest of his creation?

It were scarcely consistent with a true and living faith in the existence and attributes of that Creator so to believe, and such is not the democratic belief The reason of the plausibility with which appeal may be made to the experience of so many republics to sustain this argument against democratic institutions is that the true theory of national self government has been hitherto but imperfectly understood bad principles have been mixed up with the good, and the republican government has been administered on ideas and in a spirit borrowed from the strong governments of the other forms, and to the corruptions and manifold evils which have never failed in the course of time to evolve themselves out of these seeds of destruction is ascribable the eventual failure of those experiments and the consequent doubt and discredit which have attached themselves to the democratic principles on which they were in the outset mainly based

[STRONG GOVERNMENT A DANGER TO LIBERTY]

It is under the word *government* that the subtle danger lurks Understood as a central consolidated power managing and directing the various general interests of the society all government is evil and the parent of evil A strong and active democratic *government* in the common sense of the term is an evil differing only in degree and mode of operation, and not in nature from a strong despotism This difference is certainly vast yet inasmuch as these strong governmental powers must be wielded by human agents even as the powers of the

despotism it is after all only a difference in degree and the tendency to demoralization and tyranny is the same though the development of the evil results is much more gradual and slow in the one case than in the other Hence the demagogue hence the faction hence the mob, hence the violence licentiousness and instability hence the ambitious struggles of parties and their leaders for power hence the abuses of that power by majorities and their leaders hence the indirect oppressions of the general by partial interests hence (fearful symptom) the demoralization of the great men of the nation and of the nation itself proceeding unless checked in time by the more healthy and patriotic portion of the mind of the nation rallying itself to reform the principles and sources of the evil gradually to that point of maturity at which relief from the tumult of moral and physical confusion is to be found only under the shelter of an energetic armed despotism

The best government is that which governs least No human depositories can with safety be trusted with the power of legislation upon the general interests of society so as to operate directly or indirectly on the industry and property of the community Such power must be perpetually liable to the most pernicious abuse from the natural imperfection both in wisdom of judgment and purity of purpose of all human legislation exposed constantly to the pressure of partial interests interests which at the same time that they are essentially selfish and tyrannical are ever vigilant persevering and subtle in all the arts of deception and corruption In fact the whole history of human society and government may be safely appealed to in evidence that the abuse of such power a thous.ndfold more than overbalances its beneficial u e Legislation has been the fruitful parent of nine tenths of all the evil moral and physical by which mankind has been afflicted in e the creation of the world and by which human nature has been self-degraded fettered and oppressed Government should have as little as possible to do with the general business and interests of the people If it once undertake these functions as its rightful province of action it is impossible to say to it 'Thus far shalt thou go and no farther It will be impossible to co fine it to the public interests of the commonwealth It will be per pe ually tampering with private interests and sending forth seeds of corruption which will result in the demoralization of the society Its domestic action hould be confined to the administration of justice

result, in the end, in the ascendancy of the truth and in 'the greatest good of the greatest number' On the one side, it has only been shown that the absolute government of the majority does not always afford a *perfect guarantee against the misuse of its numerical* power over the weakness of the minority On the other it has been shown that this chance of misuse is, as a general rule, far less than in the opposite relation of the ascendancy of a minority, and that the evils attendant upon it are infinitely less, in every point of view, in the one case than the other But this is not yet a complete or satisfactory solution of the problem Have we but a choice of evils? Is there then, such a radical deficiency in the moral elements implanted by its Creator in human society that no other alternative can be devised by which both evils shall be avoided, and a result attained more analogous to the beautiful and glorious harmony of the rest of his creation?

It were scarcely consistent with a true and living faith in the existence and attributes of that Creator, so to believe and such is not the democratic belief The reason of the plausibility with which appeal may be made to the experience of so many republics to sustain this argument against democratic institutions is that the true theory of national self government has been hitherto but imperfectly understood bad principles have been mixed up with the good and the republican government has been administered on ideas and in a spirit borrowed from the strong governments of the other forms, and to the corruptions and manifold evils which have never failed in the course of time to evolve themselves out of these seeds of destruction is ascribable the eventual failure of those experiments and the consequent doubt and discredit which have attached themselves to the democratic principles on which they were in the outset mainly based

[Strong Government a Danger to Liberty]

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essence and the one general result of the science of political economy And this principle alone we will add affords a satisfactory and perfect solution of the great problem otherwise unsolved of the relative rights of majorities and minorities.

This principle therefore constitutes our point of departure It has never yet received any other than a very partial and imperfect application to practice among men all human society having been hitherto perpetually chained down to the ground by myriads of lilliputian fetters of artificial government and prescription Nor are we yet prepared for its full adoption in this country Far very far indeed from it yet is our gradual tendency toward it clear and sure How many generations may yet be required before our theory and practice of government shall be sifted and analyzed down to the lowest point of simplicity consistent with the preservation of some degree of national organization no one can presume to prophesy But that we are on the path toward that great result to which mankind is to be guided down the long vista of future years by the democratic principle walking hand in hand with the sister spirit of Christianity we feel a faith as implicit as that with which we believe in any other great moral truth

This is all generalization and therefore though necessary probably dull We have endeavored to state the theory of the Jeffersonian democracy to which we profess allegiance in its abstract essence however unpopular it appears to be in these latter days to the orize These are the original ideas of American democracy and we would not give much for that practical knowledge *which is ignorant* of and affects to disregard the essential and abstract principles which really constitute the animating soul of what were else lifeless and naught The application of these ideas to practice in our political affairs is obvious and simple Penetrated with a perfect faith in their ternal truth we can never hesitate as to the direction to which in every practical case arising they must point with the certainty of the magnetized needle and we have no desire to shrink from the responsibility at the outset of a frank avowal of them in the broadest general language

{EXPERIMENTALISM NOT RADICALISM}

But having done so we will not be further misunderstood and we hope not misrepresented as to immediate practical views We deem

for the protection of the natural equal rights of the citizen and the preservation of social order

[The Principle of Freedom]

In all other respects, the *voluntary principle* the principle of *free dom* suggested to us by the analogy of the divine government of the Creator, and already recognized by us with perfect success in the great social interest of religion affords the true golden rule' which is alone abundantly competent to work out the best possible general result of order and happiness from that chaos of characters, ideas motives, and interests human society Afford but the single nucleus of a system of administration of justice between man and man and under the sure operation of this principle the floating atoms will dis tribute and combine themselves, as we see in the beautiful natural process of crystallization, into a far more perfect and harmonious result than if government, with its 'fostering hand' undertake to disturb under the plea of directing the process The natural laws which will establish themselves and find their own level are the best laws The same hand was the Author of the moral as of the physical world and we feel clear and strong in the assurance that we cannot err in trusting in the former to the same fundamental principles of spontaneous action and self regulation which produce the beautiful order of the latter

This is then we consider the true theory of government the one simple result towards which the political science of the world is grad ually tending after all the long and varied experience by which it will have dearly earned the great secret the elixir of political life This is the fundamental principle of the philosophy of democracy to furnish a system of administration of justice and then leave all the business and interests of society to themselves to free competition and association in a word, to the *voluntary principle*

It is borrowed from the example of the perfect self government of the physical universe being written in letters of light on every page of the great bible of Nature It contains the idea of full and fearless faith in the providence of the Creator It is essentially involved in Christianity, of which it has been well said that its pervading spirit of democratic equality among men is its highest fact and one of its most radiant internal evidences of the divinity of its origin It is the

healthful action of the free voluntary principle every instance in which the operation of the public opinion and will fairly signified can be brought to bear more directly upon the action of delegated powers we would regard as so much gained for the true interest of the society and of mankind at large In this path we cannot go wrong it is only necessary to be cautious not to go too fast

Such is then our democracy It of course places us in the school of the strictest construction of the Constitution and in that appears to be involved a full committal of opinion on all the great political questions which now agitate the public mind and to which we deem it unnecessary here to advert in detail One necessary inference from the views expressed above is that we consider the preservation of the present ascendancy of the Democratic party as of great if not vital importance to the future destinies of this holy cause Most of its leading members we know to possess all the qualifications that should entitle men to the confidence and attachment of their country and the arduous functions of the executive department of the Government are administered with an efficiency and a strictness and purity of principle which considering their nature extent and complexity are indeed remarkable And even without a particular knowledge of the men the principle alone would still of necessity attach us to that party The acquisition of the vast influence of the executive department by the present opposition principles we could not look upon but as a staggering blow to the cause of democracy and all the high interests committed with it from which it would take a long and indefinite period of years to recover even if the loss of time in national progress would not in that event have to be reckoned by generations! We shall therefore while devoting ourselves to preserve and improve the purity of our democratic institutions labor to sustain the present Democratic administration by fair appeal to argument with all the earnestness due to the gravity of the principles and interests involved

## [Thoughts on American Literature]

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it scarcely necessary to say that we are opposed to all precipitate radical changes in social institutions Adopting Nature as the best guide, we cannot disregard the lesson which she teaches when she accomplishes her most mighty results of the good and beautiful by the silent and slow operation of great principles, without the convulsions of too rapid action *Festina lente* is an invaluable precept, if it be not abused On the other hand, that specious sophistry ought to be no less watchfully guarded against, by which old evils always struggle to perpetuate themselves by appealing to our veneration for the wisdom of our fathers, to our inert love of present tranquillity and our natural apprehension of possible danger from the untried and unknown

We are not afraid of that much dreaded phrase, "untried experiment,' which looms so fearfully before the eyes of some of our most worthy and valued friends The whole history of the progress hitherto made by humanity, in every respect of social amelioration, records but a series of *experiments* The American Revolution was the greatest of experiments and one of which it is not easy at this day to appreciate the gigantic boldness Every step in the onward march of improvement by the human race is an experiment and the present is most emphatically an age of experiments The eye of man looks naturally *forward* and as he is carried onward by the progress of time and truth he is far more likely to stumble and stray if he turn his face backward and keep his looks fixed on the thoughts and things of the past We feel safe under the banner of the democratic principle, which is borne onward by an unseen hand of Providence to lead our race toward the high destinies of which every human soul contains the God implanted germ and of the advent of which—certain however distant—a dim prophetic presentiment has existed in one form or another among all nations in all ages We are willing to make every reform in our institutions that may be commanded by the test of the democratic principle to *democratize* them but only so rapidly as shall appear, to the most cautious wisdom consistent with a due regard to the existing development of public opinion and to the permanence of the progress made Every instance in which the action of *government* can be simplified and one of the hundred giant arms curtailed, with which it now stretches around its fatal protecting grasp over almost all the various interests of society to substitute the truly

healthful action of the free voluntary principle every instance in which the operation of the public opinion and will fairly signified can be brought to bear more directly upon the action of delegated powers we would regard as so much gained for the true interest of the society and of mankind at large In this path we cannot go wrong it is only necessary to be cautious not to go too fast

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## [THOUGHTS ON AMERICAN LITERATURE]

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What is the cause, is sometimes asked among the disciples of the democratic school of political philosophy, of that extensive anti democratic corruption of sentiment in some portions of our people, especially in the young mind of the nation which is certainly so just a subject of surprise and alarm? It has lately been a topic of news paper remark that nineteen twentieths of the youth of one of the col leges of Virginia were opposed to the democratic principles The very exaggeration is good evidence of the lamentable truth, and it is well known that a very large proportion of the young men who annually leave our colleges carry with them a decided anti popular bias to swell the ranks of that large majority of the ' better classes already ranged on that side and to exercise the influence of their cultivated talents in a cause at variance with the genius of our country, the spirit of the age the best interests and true dignity of humanity, and the highest truths of the science of political morals

And yet the democratic cause is one which not only ought to engage the whole mind of the American nation, without any serious division of its energies to carry forward the noble mission entrusted to her of going before the nations of the world as the representative of the dem ocratic principle and as the constant living exemplar of its results but which ought peculiarly to commend itself to the generosity of youth its ardent aspirations after the good and beautiful its liberal and unselfish freedom from narrow prejudices of interest

For Democracy is the cause of Humanity It has faith in human nature It believes in its essential equality and fundamental good ness It respects with a solemn reverence to which the proudest arti ficial institutions and distinctions of society have no claim the human soul It is the cause of philanthropy Its object is to emancipate the mind of the mass of men from the degrading and disheartening fetters of social distinctions and advantages to bid it walk abroad through the free creation in its own majesty to war against all fraud oppres sion and violence by striking at their root to reform all the infinitely varied human misery which has grown out of the old and false ideas by which the world has been so long misgoverned to dismiss the hireling soldier, to spike the cannon and bury the bayonet to burn the gibbet, and open the debtor s dungeon to substitute harmony and mutual respect for the jealousies and discord now subsisting between different classes of society as the consequence of their artificial clas-

sification It is the cause of Christianity to which a slight allusion has been already made to be more fully developed hereafter And that portion of the peculiar friends and ministers of religion who now we regret to say cast the weight of their social influence against the cause of democracy under the false prejudice of an affinity between it and infidelity ( No longer in this century the case and which in the last was but a consequence of the overgrown abuses of religion found by the reforming spirit that then awakened in Europe in league with despotism) understand but little either its true spirit or that of their own faith It is moreover a cheerful creed a creed of high hope and universal love noble and ennobling while all others which imply a distrust of mankind and of the natural moral principles infused into it by its Creator for its own self-development and self regulation are as gloomy and selfish in the tone of the moral sentiment which pervades them as they are degrading in their practical tendency and absurd in theory when examined by the light of original principles

Then whence this remarkable phenomenon of the young mind of our cou try so deeply tainted with anti-democratic sentiment a state of things lamentable in itself and portentous of incalculable future evil?

Various partial causes may be enumerated in explanation of it among which we may refer to the following In the first place the possession of the executive power as it exists in our system is in one point of view a great disadvantage to the principles of that ascendant party The Administration occupies a position of defense the Opposition of attack The former is by far the more arduous task The lines of fortification to be maintained against the never relaxing onsets from every direction are so extensive and exposed that a perpetual vigilance and devotion to duty barely suffice to keep the enemy at bay Th attacking cause ardent restless ingenious is far more attractive to the imagination of youth than that of the d fense It is moreover difficult if not impossible to preserve a perfect purity from abuse and corruption throughout all the countless ramifications of the action of such an executive system as ours however stern may be the integrity and high the patriotism of the presiding spirit which from its head animates the whole Local abuses in the management of party affairs are the necessary conse

quence of the long possession of the ascendancy The vast official patronage of the executive department is a weight and clog under which it is not easy to bear up This must lay any administration open to perpetual assault at great disadvantage and especially if the great party campaign present at any time such a phase as may render it necessary to put forth to the full limits of constitutional right, the energies of the executive department to resist the accumulated pressure of attack, bearing along in its train evils, to avert which almost any means would seem justifiable This we have seen, in a remarkable manner the case during the two terms of the late administration Our natural jealousy *of power affords a string to which*, when played upon by the bold and skilful hands that are never found wanting the very spirit of democratic freedom never fails to respond, and many are confused by sophistry and clamor and carried away by the power of eloquence divine even though misu ed to array themselves against their own best and most honest friends under leaders, in truth the worst enemies of the American principles for which they believe them selves contending

In the second place we may refer to a cause which we look upon with deep pain as one of the worst fruits of the evil principles to which allusion has already been made above as existing in our system the demoralization of many of the great men of the nation How many of these master spirits of their day to whom their country had long been accustomed to look with generous affection as her hope and pride have we not seen seduced from the path of their early promise by the intrigues of party and the allurements of ambition in the pursuit of that too dazzling prize and too corrupting both in the prospect and the possession the presidential office!

The influence of such men especially on the minds of the young commanding by their intellectual power misleading by their eloquence, and fascinating by the natural sympathy which attaches *itself to greatness still proud in its fallen estate produces certainly* a powerful effect in our party contests

We might also refer to the fact that the anti-democratic cause possesses at least two thirds of the press of the country and that portion of it which is best supported by talent and the resources of capital under the commercial patronage of our cities To the strong influence

that cities where wealth accumulates where luxury gradually unfolds its corrupting tendencies where aristocratic habits and social classi fications form and strengthen themselves where the congregation of men stimulates and exaggerates all ideas — to the influence that ci es exert upon the country no inconsiderable effect is to be ascribed From the influence of the mercantile classes too extensively anti democratic on the young men of the professions especially that of the law creating an insensible bias from the dependence of the latter mainly on the patronage of the former these young men becoming again each the center of a small sphere of social influence from that of the religious ministry silently and insensibly exerted from the false prejudice slightly touched upon above from these and some other minor influences on which we cannot here pause a vast and active power on public opinion is perpetually in operation And it is only astonishing that the Democratic party should be able to bear up against them all so successfully as we in fact witness This is to be a cribed under that Providence whose unseen hand we recognize in all human affairs only to the sterling honesty and good sense of the great and strious mass of our people its instinctive perception of and yearning after the democratic truth and the unwavering generosity of its support of tho e public servants whom it has once tried well and long and with whom it has once acknowledged the genuine sym pathy of common sentiments and a common cause Yet still the democratic principle can do little more than hold its own The moral energies of the national mind are to a great extent paralyzed by division and instead of bearing forward the ark of democratic truth entrusted to us as a cho en people toward the glorious destiny of its future we must fain be content if we can but stem with it the per petual tide of attack which would bear it backward towards the ideas and habits of past dark ages

But a more potent influence than any yet noticed is that of our national literature Or rather we have no national literature We depend almost wholly on Europe and particularly England to think and write for us or at least to furnish materials and models after which we shall mold our own humble attempts We have a consider able number of writers but not in that consists a national literature The vital principle of an American national literature must be democ racy Our mind is enslaved to the past and present literature of Eng

land Rich and glorious as is that vast collection of intellectual treasure, it would have been far better for us had we been separated from it by the ocean of a difference of language as we are from the country itself by our sublime Atlantic Our mind would then have been compelled to think for itself and to express itself, and its animating spirit would have been our democracy As it now is, we are cowed by the mind of England We follow feebly and afar in the splendid track of a literature molded on the whole notwithstanding a number of noble exceptions by the ideas and feelings of an utterly anti democratic social system We give back but a dim reflection a faint echo of the expression of the English mind No one will misunderstand us as disparaging the literature of our mother language, far from it We appreciate it with a profound veneration and gratitude and would use it without abusing it by utterly submitting our own minds to it, but we look upon it as we do upon the political *system of the country as a something magnificent*, venerable, splendid, and powerful, and containing a considerable infusion of the true principle yet the one no more suitable to be adopted as our own, or as a model for slavish imitation than the other In the spirit of her literature we can never hope to rival England She is immeasurably in advance of us, and is rich with ever active energies and resources of literary habits and capital, so to speak, which mock our humble *attempts at imitation But we should not follow in her wake*, a radiant path invites us forward in another direction We have a principle, an informing soul of our own our democracy though we allow it to languish uncultivated this must be the animating spirit of our literature if indeed we would have a national American literature There is an immense field open to us if we would but enter it boldly and cultivate it as our own All history has to be rewritten political *science and the whole scope of all moral truth* have to be considered and illustrated in the light of the democratic principle All old subjects of thought and all new questions arising connected more or less directly with human existence have to be taken up again and reexamined in this point of view We *ought* to exert a powerful moral influence on Europe and yet we are entirely unfelt and as it is only by its literature that one nation can utter itself and make itself known to the rest of the world we are really entirely unknown In the present general fermentation of popular ideas in Europe turning the

public thoughts naturally to the great democracy across the Atlantic the voice of America might be made to produce a powerful and bene ficial effect on the development of truth but as it is American writings are never translated because they almost always prove to be a diluted and tardy second edition of English thought

The anti-democratic character of our literature then is a main cause of the evil of which we complain and this is both a mutual cause and effect constantly acting and reacting Our 'better educated classes drink in an anti-democratic habit of feeling and thinking from the copious and it must be confessed delicious fountain of the literature of England they give the same spirit to our own in which we have little or nothing that is truly democratic and American Hence this tone of sentiment of our literary institutions and of our learned professions poisoning at the spring the young mind of our people

If the *United States Magazine and Democratic Review* shall be able by the influence of example and *the most liberal* encouragement to contribute in any degree towards the remedy of this evil as of the other evils in our institutions which may need reform by vindicating the true glory and greatness of the democratic principle by infusing it into our literature and by rallying the mind of the nation from the state of torpor and even of demoralization in which so large a propor tion of it is sunk one of the main objects of its establishment will have been achieved

## 3

# CHARLES STEWART DAVEIS

## POPULAR GOVERNMENT[1]

THE IDEA of some fair spread region of this description far over the sea, presented itself in dreams by day to the philanthropist of the old world to console him for the darkness of ages that had clouded down upon the auspicious dawn of Christianity where law should be level with liberty and authority tempered with equity, and government administered with purity, simplicity, and economy!

These were problems for which no satisfactory solution had been found Society had suffered from too much regulation Nature had not been trusted enough to her own sagacity Education had not been raised to its proper height nor expanded to its true power The principles of natural and universal law were pressed down by feudal and ecclesiastical institutions These were enigmas which Europe could not explain The rights of mankind had there been defrauded The hopes of humanity had there been frustrated No fruition had been found for the finest aspirations of philanthropy no consummation of the fairest results of philosophy Nothing was comparatively realized from the long teachings of example and experience No permanent progress appeared to have been made in the general career of social improvement No effectual barrier seemed to be raised against the calamitous recurrence of another furious inroad from a barbarian cast of population distinguished by no complexional variety such as the teeming north was ever ready to pour down upon the spreading bounds of civilization like trade winds towards a region continually rarefied by the sun from a source of which the elements are never exhausted overwhelming the establishments of society like a tornado burying the monuments of art and genius and blackening the horizon with smoke and ashes like some terrific eruption of a volcano such as has covered cities under the crust of ages alternately tormenting

[1] [From Charles Stewart Daveis *An Address Delivered on the Commemoration at Fryeburg May 19 1825* (Portland Me 1825) pp 34–64 — Abridged]

the world with a vain desire to recover the past and irritating the pride of science by the astonishing revelation of what was before supposed to be new

[THE AMERICAN EXPERIMENT]

If there was no sure defense from assault and invasion without neither was there any security against corruption of the principles of society within In government it is very true there was little to be corrupted and when a combined movement was made to establish in England what Hampden and Pym were about embarking to enjoy with Cromwell in America its promoters could neither find competent security for their own virtue nor set up any adequate bar against the reaction of arbitrary power The proper time therefore appeared to have arrived for making a new experiment the most interesting and important unquestionably in all its circumstances and relations that the world ever witnessed A new cion was to be sent forth and inoculated into a strange stock Fresh blood was to be taken from some of the purest arteries in Europe and poured into the veins of a young society begotten as it may be said in the old age of the world 'I like says Bacon a plantation in a pure soil that *is* where people are not displanted to the end to plant in others *else* it i rather an extirpation than a plantation In this new process a favored race may appear to have been selected like that which was chosen in the second stage of the world to restore its primary condition this to be the repository of the true principles of liberty *as that* was of the pure elements of religion and before which the native population was destined to recede and give space by the operation of natural causes without precipitate results and without inspiring any apprehension of its reappearance to embarrass the execution of the project

The geography of America has been pronounced by one who has investigated the philosophical c~ nec ion between natural and political causes favorable to freedom But it cannot be said that the continent was discovered or colo~ization commenced in any deliberate design to establish its principles The great magnetic point did not so soon acquire its true polarity An ulterior object of the voyage gave to the first discovery the name of West Indies The colonies were bred and treated like silkworms whose indus y is not for themselves

They were sent to cultivate the sugar cane and tobacco leaf and in due time doomed to prepare the cotton plant for the market of their taskmasters America was held as an appurtenance to Europe and *her arrangements were all projected on the same model of colonial* monopoly as the East India, Hudson Bay and North West Companies But, by some interesting filiation "there's a Divinity that shapes our ends"

The colonial condition is now acknowledged to be the chrysalis of independence The only El Dorado is to be discovered in the simplest form of government To the visionary pursuit of gold the world may be indebted for the science of liberty as well as chemistry, and free institutions may be said to have been found in following the fur trade and the fisheries

The free and glorious spirit that has gone abroad throughout the country may well invite to a refreshing memorial of all the causes to which we owe this national feeling The true genius of our institutions invites, at all seasons a constant recurrence to their first principles To judge of the progress which these principles have made we need only cast our eyes back a century or two to contemplate those abuses of them from which our ancestors fled, and contrast them against the first results of those free institutions which they founded

It is true that a natural solicitude concerning the great experiment weighed upon the first founders of our free government and its lively cornerstones were not laid without many prayers and supplications The experience of the period subsequent to the revolution when the pressure of peril was relieved and the danger of subjugation determined did not leave an entirely satisfactory impression on their minds The *dii minorum gentium* the gods of the smaller states were averse to a predominating power to be exercised over local pride and ambition on behalf of the whole people of the union and the apprehension of disorder to result from the imperfection of its bond arose coeval with the first form in which it was organized The portentous fact moreover, was presented to them by the faithful hand of history, that pure democracy had always failed, in some degree of sufficient virtue to preserve its principles from corruption Hence the morning noon and evening song of 1788 was anarchy — the danger of anarchy, rather than despotism

[THE CONSTITUTION]

That there may not have been in advance an absolute confidence accorded to the essential principles of republican government demanded upon so broad a scale that there might have been some doubt concerning their efficacy for self preservation that some scepticism may have been originally entertained relating to the combination of sufficient virtue with the intelligence of the community to secure its own political existence and vindicate at once its liberty and justice may not be deemed altogether incredible It is not unnatural to suppose that apprehensions of this kind should have forced or infused themselves into some of the fairest minds and purest spirits in the country If they fastened themselves for a while upon a portion of the virtuous and patriotic if they seized upon the vigorous authors of our constitutional commentary let the remembrance rise before the nation of the sacrifice that was offered to redeem its faith and discharge the debt of the Revolution of the zeal that was devoted to rear th fabric of the Federation and the labors that were exhausted to organize the resources of the Union and how they were straitened until it was accomplished and let the prayer come up before the country that was uttered over the hearse of him the earliest the only one of that illustrious number whom it mourns pardon that single error in a life devoted to your service!

The original apprehension inspired concerning the Constitution undoubtedly was not that it was not strong enough for the purpose of power but that it was not powerful enough for the purpose of liberty Time at least was wanting to establish its principles. Hence mean while its friends inclined to take bonds of fate But it is vain to seek in the positive structure of society for those securities which must depend in the main upon its spirit Who shall take care of the keepers? What shall we do with the fire when it seizes the extinguishers? Where shall the powers of art be applied when the springs of nature cease to play? The spirit of a people cannot be perfectly enshrined in the specific form of a constitution The success of any system must depend forever upon the healthy action of its natural principles

In a great country which enjoys a freedom like our own it is plain that the simplest institutions for concentrating the ideas and exerting the energies of the whole community are the most suitable The

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of self government goes to the root of our system Popular power is the basis of all our institutions and the general weal is managed by a simple organization of the sense and reason of the community manifesting its general will The notion that a people has not the faculty of self-control is a solecism It would argue a defect in the moral constitution of mankind if it did not amount to an impeachment of the wisdom of Providence It would seem to show that man was unfit to be the subject of moral government and serve to show the absurdity of all government It would be matter of singular reflection upon the state of political society if the wisdom of the whole should prove less competent to its management than the wisdom of part.

By giving to public opinion an absolute and audible representation and by placing a more responsible and emphatic reliance upon the presiding sense of the community by giving that scope and activity to its instincts and operations which are derived from free institutions alone by bringing home to the business and bosoms of society the immediate consequences of its determinations or causing them to be felt in their remotest bearings that sense is quickened corrected cultivated disciplined caution and prudence are inspired and all its faculties summoned in vindication of its principles No system possesses such self repairing resources none is so little liable to explosion as one where the safety valves are always open

As a fact in the first instance that nothing can resist the real power of the people as the faith of the whole community that nothing ought to be above it as a point settled equally in the theory and history of our system it is the part of wisdom to improve and of patriotism to vindicate the principle Such a circumstance in our condition is not merely to be tolerated as an unavoidable evil It is to be cherished as a positive good and the absolute irregularity of its action is entitled to be treated as the progress of a generous and powerful principle to perfection

The prevalence of an opposite idea at whatever period or under whatever circumstances it may predominate is simply sapping the foundation of our free system which rests on public sentiment solely Its perdition can in any event only come from the abandonment of its principles and the destruction of the popular faith in them is but an ill omen of their justification Patriotism is never allowed to de-

principles of society themselves *in the first place, lie at the foundation*, and give efficacy to the operative principles of government There is much truth, if not originality, in the reflection of a fine and liberal mind that what we are accustomed to regard as political order is in a great measure the result of the passions and wants of man combined with the circumstances of his condition, or what is in other words the wisdom of nature, all acting in such beautiful subserviency to her suggestions as to raise the idea of original arrangement The natural tendency that exists in every society which in consequence of the general spirit of its government enjoys the blessings of tranquillity and liberty is so strong as to overcome many powerful obstacles which the imperfection of human institutions opposes to its progress. The greater portion of political disorders do not proceed from the want of *foresight in the framers of political constitutions* rendering their prospective provisions too general so much as from not paying sufficient regard to the operations of those simple institutions which nature and justice recommend The superiority of political wisdom consists not in encumbering the machine of government with new contrivances to obviate partial and accidental inconveniences but in gradually and silently removing the obstacles which disturb the order of nature and according to the expression of Addison ingrafting upon her institutions There is moreover an intrinsic principle of health a *vis medicatrix* in the social system and especially in the *political like the human, when the general constitution is* sound the virtue of which we may be apt to ascribe to artificial causes when it frequently serves to disguise and correct their ill effects To these just and liberal considerations may be added reflections arising from the character of our Federal system — namely the powerful influence of a gravitating principle to bind and preserve its members in their spheres and the silent sublime celestial mechanism which serves to remedy any irregularity of their planetary motions

[The Reconciliation of Authority and Liberty]

We have entered upon a sober experiment how far the simple moral principles of society are competent for their own political preservation and the problem is yet to be solved how far the expedient is practicable for reconciling authority with liberty The extraordinary idea that a *whole people is not competent to the office*

of self government goes to the root of our system Popular power is the basis of all our institutions and the general weal is managed by a simple organization of the sense and reason of the community manifesting its general will The notion that a people has not the faculty of self-control is a solecism It would argue a defect in the moral constitution of mankind if it did not amount to an impeachment of the wisdom of Providence It would seem to show that man was unfit to be the subject of moral government and serve to show the absurdity of all government It would be matter of singular reflection upon the state of political society if the wisdom of the whole should prove less competent to its management than the wisdom of part.

By giving to public opinion an absolute and audible representation and by placing a more responsible and emphatic reliance upon the presiding sense of the community by giving that scope and activity to its instincts and operations which are derived from free institutions alone by bringing home to the business and bosoms of society the immediate consequences of its determinations or causing them to be felt in their remotest bearings that sense is quickened corrected cultivated disciplined caution and prudence are inspired and all its faculties summoned in vindication of its principles No system possesses such self repairing resources none is so little liable to explosion as one where the safety valves are always open

As a fact in the first instance that nothing can resist the real power of the people as the faith of the whole community that nothing ought to be above it as a point settled equally in the theory and history of our system it is the part of wisdom to improve and of patriotism to vindicate the principle Such a circumstance in our condition is not merely to be tolerated as an unavoidable evil It is to be cherished as a positive good and the absolute irregularity of its action is entitled to be treated as the progress of a generous and powerful principle to perfection

The prevalence of an opposite idea at whatever period or under whatever circumstances it may predominate is simply sapping the foundation of our free system which rests on public sentiment solely Its perdition can in any event only come from the abandonment of its principles and the destruction of the popular faith in them is but an ill omen of their justification Patriotism is never allowed to de

spair of the commonwealth To redeem the true principle of self government therefore, from misapprehension and perversion, to rescue it from corruption and reproach to drag up its drowning honor at any extremity and restore it to its central position, like the heart of the human, or the grand refulgent orb of the solar system these are ends which it can be no inconsistency to compass, no imputation to imagine It is worthy of the highest and the purest patriotism to break the spell which may bind such a belief, to dispel the phantom and chase it like a cloud from the mind, and dissipate a delusion so ominous and prejudicial to the public welfare The purity of testimony given to such a truth there can be no cause to question The tribute cannot be too ample and unequivocal, and whatever triumph attend it we may hail without regret For whatever objections may lie against our system who would ever abandon it? With all its evils who would discard it for any other form of human authority founded on the admission of any principle at war with the equal rights and liberty of mankind?

[POPULAR GOVERNMENT AND PUBLIC OPINION]

While the theory of popular government undoubtedly presumes the prevailing rectitude of public sentiment, it makes no presumption of which the force is not now universally acknowledged, either in the general reference to its authority or the direct appeal to its arbitrament It moreover makes no requisition other than what is founded on confidence in the principle and faith in the progress of reason and only demands that those whose voice must be heard on every measure should have a hand in its control It does not assume that papal infallibility from which its protestant principle has revolted It challenges no implicit faith, for it exposes everything to examination It does not imply that the will of any proportion of the community however transcendent, is paramount to that invariable restriction which principle imposes on power It does not, of course confound every light and transient shadow that flies over the landscape the mere ephemeral indications of passing events with the solid rocks that have been placed from eternity and the permanent landmarks that have been established by experience Means are provided for rectifying its results and poising the passions in order to suspend the judgment of the public. The sense of the community must have time to settle and mankind may repose upon its own judgment after some period has

elapsed. The united wisdom of one age in this respect bears some ratio to the collected wisdom of several Neither does the supposition require the sacrifice of independence in regard to any subject on which public opinion is yet to be formed or is capable of being improved or even changed It requires no compromise of belief except upon the ground of conviction for no man has a right to renounce any point of which he is honestly persuaded. The right of appeal is always open and the public ear is also The idea requires no impracticable harmony of discordant elements produces no restraint upon the most wholesome freedom of difference and opposition It is a principle that disturbs no manly breast It need work no abatement of an honest zeal to guide and influence public opinion upon important subjects. On the contrary there is an encouragement and a consolation of the highest description at once afforded by the reliance which may be placed upon its polarity and the highest inducement is thus held out to aim to improve a standard to the test of which all things must be brought and all subjects submitted The result of this experiment upon its largest scale thus far warrants no just ground of concern respecting the prevalence of truth It need inspire no fear for honest fame nor reasonable apprehension in respect to correct estimate of patriotic service The experience of this whole society does not yet create any painful solicitude in regard to the pursuit and discovery of a more practicable and unerring sanction

Experience has certainly shown no sufficient reason to question the general aptitude of the People for self-government When we observe the capacity discovered by the members of society in all their concerns sagacity entering into all subjects extending to all relations and equal to all occasions carried also into duties of administering its authority and when we observe them indiscriminately executing or aiding in all its departments civil and judicial as jurors magistrates legislators governors acting as trustees of all the interests of the community for the benefit of the public and as guardians of all those rights for which law was designed as security taken continually from all classes and returning to the general mass by the perpetual elective process can we any longer doubt th efficacy of this great principle which is thus receiving constant refreshment and vigor from its original fountains?

[THE EDUCATION OF THE SOVEREIGN PEOPLE]

But popular power, it is to be remembered, is moral power, and it is of the utmost consequence that its intellectual principle should be well informed The safety of a state was represented by a sensible scholar of the 16th century to depend mainly on three things upon the proper education of the Prince upon public teachers, and on schoolmasters The prime object in any government is undoubtedly the education of the sovereign In England it was not long since an object of general concern to provide for the education of a young princess In proportion as the power vested in the sovereign becomes absolute the pursuit acquires importance

With a view to improve the principles of self government in a state of society that subjects everything to its sense in a country where the whole sovereignty is lodged in the people and all authority is exercised upon the strictest responsibility to the end of its universal welfare *the education of the whole becomes the first interest of all* The diffusion of knowledge becomes therefore the distribution of power Where authority is appropriated for other purposes than the general good under any partial organization a part is studiously educated for the government of the rest, who are deliberately left in ignorance to support the fundamental principles of the government The proper system of republican education should *combine* the regular course of useful elementary instruction with that species of education which naturally results from the political order of society In this manner the moral education of *the prince* if I may use the expression, becomes of the first importance and it is a happy circumstance that there is always a generation of young and fair minds springing up among the people free from any false impressions in proper season to assume the real reins of power and exemplify the true principles and influence of education

It must be obvious that to urge the general interest of education can be influenced by no narrow motive It can have no insidious purpose It pleads the cause of no party it advocates no profession is propitious to no predominance It urges one of the most important interests of society It argues on behalf of its order and comfort its present and future good and opens the most ample field to its fairest claims and prospects Its cause involves the purest objects of benevolence its concern affects the highest aspirations of virtue and piety

and its interest touches some of the noblest and tenderest springs of our nature the affection of the parent for his children the zeal of the patriot for his country the ardor of the philanthropist for his kind With its success is identified almost every rational hope of the future welfare of our race extending to the suppression of the most fruitful causes of vice and misery and embracing the widest spread of peace and happiness beneath the cope of heaven

### [Political Parties and Republican Justice]

Moral power rests upon the only sure and solid basis of right and justice Under a political dispensation where the responsibility falls without relief upon the people if the dictates of eternal justice are violated the consequences of retributive justice may be assured to follow Justice is one of the first duties of a republic it is the corner stone of the Temple of Liberty and it is a virtue not among the least exposed to violation Aristides was banished by a republic from jealousy of the very name and its ancient policy was undoubtedly apt to nourish a spirit pernicious to the principle

Party may unquestionably be salutary if its end be public and its spirit patriotic since more may be accomplished by combined systematic exertions than can be effected by irregular and distracted efforts. But the greatest good it is equally obvious can only be attained by the united and hearty exertion of the whole mass of the community Party in such a point of view may be regarded as a simple expedient for mutilating the state of a measure of its force for paralyzing one side of its power depriving the country of a portion of its effective strength for the promotion of its great objects There were always it is said two parties in Carthage one for peace and the other for war the consequence was that Carthage never enjoyed the full advantage of peace or war Certain prejudices are represented to prevail in more early periods of society which are supposed to be beneficial to its welfare but which gradually lose their influence and would probably disappear entirely if it were not found convenient to prolong their existence as a source of authority over the multitude The virtue of the people is undoubtedly proved in supporting parties so long as they are salutary and in suppressing them whenever they are nuisances in cherishing them while they are founded and conducted

on principle, and in ceasing to sustain them when their differences are extinguished, or their forms are only preserved for selfish or factious purposes The Constitution, it is evident, was not designed to systematize a perpetual organization of parties

It is true that the history of parties in this country is coeval with the origin and connected with the progress of our political institutions. And while they have even left their footprints upon the foundations and impressed their relief upon the strong features of the Federal structure, they have at the same time been mild in their type and complexion beyond all recorded example Ancient or modern history affords no comparison They are stained by no marks of blood or violence, they revive the memory of no proscriptions nor massacres nor can they be deliberately accused of using their predominance with positive cruelty or oppression The moral character of our population has moderated the natural consequences of civil dissension If parties may not be permitted to make pretension to generosity, they may properly be allowed to appeal to the unquestionable proofs of their purity and while they point to the lofty and durable monuments of their patriotism justly plead the influence of extraordinary causes in vindication against any erroneous imputations By the theory of our government long ago pronounced the people themselves are of no party And it is quite true that some of our most national institutions are the work of 'joint counsels and confederate patriotism '

The most eloquent spirit of the age is justice That spirit is strongly opposed to all political orders privileges and dominations It is distinguished by an aversion to despotism under every form and to monopoly in every shape from the most simple and obvious example of those systems in Europe, to a virtual establishment under any popular designation in America An open persuasion prevails abroad of the impolicy of seeking to secure any measure of public good apart from the whole of the people of raising any exclusive advantage upon the depression of any general concern of the community or even pushing a legitimate interest at disproportionate expense or sacrifice An invincible repugnance exists in the breast of the nation against cherishing any project incompatible with the designs of the compact or any sentiment inconsistent with the principles of the Union All the true interests of society stand on the same footing in perfect consistency with each other, and in unison with the greatest product of

general prosperity Hence an augmented appreciation of the value of our common patrimony and an increasing opinion of the essential injury of suffering the inheritance to be engrossed or of permitting any portion of society to make use of its forms against its spirit Hence the deliberate judgment of the community against any unwarrantable appropriation of the blessings of social order or of setting apart any portion from the general mass of honor and happiness belonging to the community instead of opening the career of public service to an useful and generous strife of competition and emulation and spreading out the highest and most animating inducements Let there be added a deep reprobation of the gross injustice of all odious political imputation repugnant to the innate principles of moral rectitude and revolting to the most virtuous feelings of mankind *Think you those upon whom the Tower of Siloam fell — or those whose blood Pilate mingled in their sacrifices — were sinners above all the Galileans?* Again add a stern indignant rebuke of all attempts to affect the fame of national benefactors disturbing the heaps which affection has raised over their remains or defacing the monuments which gratitude has erected to their memory opening the wounds which the hand of time has gently healed desecrating the virtues it has cherished or violating its benevolent amnesty and oblivion In opposition to all such unhallowed purposes and passions a different spirit tolerant liberal catholic has prevailed Our republican system might indeed be deemed to have failed most ominously in the outset if it had proved incapable of subduing the morbid remains of a malignant spirit And this triumphant vindication of its moral sense is reviving to a rational confidence in its fundamental principles

## (Public Opinion and Peaceful Change)

We are warranted to repose upon the wholesome operation of public opinion Its progressive influence appears like vegetation upon the surface after it has been working and striking its shoots deep into the soil Its seeds exist in the ground long before its productions are sent forth It commences in the primary and internal principles of society proceeding silently ascending steadily up invigorating the stock and entering with life into the branches A change of this description exists in fact before it is announced Its light advances like the day which first begins to illumine the highest tops until it warms and

fertilizes the earth and calls forth all its powers and luxuriance Its influence is disseminated through the great mass of public sentiment until it thoroughly pervades the whole body of the community Its changes often anticipate the sagacity of political wisdom, they grow out of each other, in some manner like the seasons and when we cannot divine their sources we may still distinguish their sounds. Too mighty to be attributed to the mere prophetic chants by which they may be preluded, their auguries may be discerned in the most angry aspect of the elements the bow is bent in the clouds, and the *pause the peace that follow have all the serene and potent influence* of a charm

Within the experience of this nation three revolutions have already occurred the first political the second civil, and the third moral the last embracing whatever was salutary and valuable in the two former The evidence of this last auspicious change, which has been proclaimed by the most distinguished organs of the community is fresh in the abatement of political strife and the improvement of public feeling *and in the universal direction of public spirit to public objects It is* proclaimed in popular assemblies in public bodies in the national legislature where no addresses are regarded except those which concern the interest of the community in its general determination against the importance of any other securities than those that are required for the public good or of maintaining any political ascendancy paramount to the supreme constitutional law It is proclaimed in the broad appeal on the recent national occasion to general considerations — in the harmonious and patriotic character of the result It is proclaimed in the tone of society in the peace and the order of the community in the prosperity of the nation

[The Mission of America]

America is always alive to the obligations of justice Its feeling has been freshly redeemed towards a foreigner[1] It has been fulfilled in relation to the father of his country Shall it not be vindicated against every reproach?

While we felicitate ourselves on the faculty of self government and on the power which the country possesses to do justice to its benefactors, let the country likewise be just to itself There is no power

[1] [Lafayette]

to which a people is not competent that is really requisite for its welfare There is at least no faculty which a nation does not possess to promote its own prosperity consistent with the principles of public law and eternal justice There is no form which so fully develops the dignity of human nature as the democratic There is no system which so soon brings home its sanctions none which requires so complete a prostration of all partial objects so entire a devotion to its radical principles in order to bring out its essential perfections

In the posture that we are placed as the mother republic in the circumstances under which we are placed in the present condition of mankind in the circumstance under which we are placed in relation to ourselves a duty is demanded of us demanding all our efforts to accomplish and which can only be discharged by the most rigid and faithful regard to the fundamental principles of our association Be it ours then to send a searching spirit into these circumstances and consult those lively oracles of nature which accord us at the same time the most profound suggestions of political wisdom We have great interests to be consulted with which those of the world as it now stand and of generations to arise are linked We have connections with Europe where we have long carried on an advantageous commerce sending out our staples and principles and *importing their* fabrics and letters We have relation to all times and as we proceed to manipulate our own intellectual and economical products *we have* an increasing character to sustain and a higher cast not to be forfeited

*We are all pursuing the* same great ends and intellect is darting its vivifying rays into every subject We are commanded well and wisely to consider our own situation to consider our condition as its own greatest innovator to keep a steady eye to the true ends of our political existence and while we accompany antiquity to extend the spirit of improvement also to the foot of the very altar *We are to hold* nothing as sacred but the true interests of society and those institutions the usefulness of which has been established to human happiness or attested by the *consecrating* sanctions of religion and resort to the sacred repository of religion itself *not for the dark* and portentous arcana of state policy but for those transcendent sanctions which it supplies to establish those obligations which form the basis of all order As it regards the rest let the rule and the only rule be how to attain the highest possible good and obviate the utmost avoidable evil Over

the porch by which we enter the temple of our national liberty, over the avenues which lead to all its spacious apartments over the ever open hall of legislation as well as the adjacent chambers of jurisprudence, let the fearless inscription meet the eye

Be bold! Be bold! And everywhere, BE BOLD!
BE NOT TOO BOLD!

Let it become an important object to raise the tone of public sentiment and elevate the dignity of democratic institutions, improve the rule of social duty and exalt the scale of national excellence Let us clear the great streams of national prosperity Let no faculty be denied to the government which is granted by the Constitution let it be left to be used with discretion, regulated by responsibility Let it likewise be felt that some inference arises in favor of a power which is attested by an important public benefit While it will not be forgotten that, in order to guard their own rights against infraction the people have invested their public agents with only limited faculties to promote the great ends of government a conclusion resulting from their long and universal approbation of an actual authority should not be unregarded And again, if a great national concern which has been generally provided for in our constitutional scheme acquires a new importance in the progress of public economy or a new region itself arise beneath the broad canopy of the Union with interests for which it had no original opportunity to stipulate are we at liberty to attribute a prophetic spirit to those general provisions which respect the public welfare and to regard the system itself as expanding with the exigencies of the Union? Shall an austere rule rebuke the true spirit of patriotic policy uncontrolled by a commanding obligation to supply any chasm which was not contemplated in the Constitution? Shall we still rock the grown man in the cradle of the infant?

We profess not to have arrived at maturity To test the truth of *our* principles, *we are obliged* to go forward to anticipate the progress of time and the operation of their causes on futurity To test the truth of our principles *let us go forward!* Let us advance the space of a single century, when if we are true to our principles and those that shall come after us shall prove true to our examples we shall have redeemed ourselves from the reproach of living in and for posterity!

Let us be just then to our posterity as well as to ourselves Let us array before us or rather array ourselves before those who shall come after us Come then, ye future ages of American spirits that are yet to be those that may occupy this spot when this period returns! Sit in judgment on the present generation call us to account for our privileges and demand of us to discharge our trust! And let the voice of those that have gone before us and led the forlorn hope of our national existence rise in our ears and press on our hearts By the blood shed for our deliverance by the tears with which our freedom was baptized by the agony of patriotism in the strife for independence by the glorious and imperishable cause in which we are all concerned be just to yourselves be true to your principles be faithful to posterity!

## 4

# JAMES FENIMORE COOPER

## ON REPRESENTATION[1]

AFTER QUITTING the poll we familiarly discussed the merits and demerits of this system of popular elections In order to extract the opinions of my friend, several of the more obvious and ordinary objections were started with a freedom that induced him to speak with some seriousness

You see a thousand dangers in universal suffrage he said ' merely because you have been taught to think so without ever having seen the experiment tried The Austrian would be very apt to say under the influence of mere speculation too, that it would be fatal to government to have any representation at all, and a vizier of the Grand Turk might find the mild exercise of the laws which is certainly practised *in Austria proper altogether fatal to good order* Now we know not from the practice of fifty years only but from the practice of two centuries that it is very possible to have both order and prosperity under a form of government which admits of the utmost extension of the suffrage It is a never failing argument on these subjects that American order is owing to the morality of a simple condition of life and that our prosperity is incidental to our particular geographical situation There are many good men and in other respects wise men even among ourselves who retain so much of the political theory which pervades the literature of our language as to believe the same thing For myself I cannot see the truth of either of these positions. Our prosperity is owing to our intelligence and our intelligence to our institutions Every discreet man in America is deeply impressed with the importance of diffusing instruction among our people just as many very well meaning persons in your hemisphere honestly enough entertain a singular horror of the danger of school books Thus it is our natural means of safety to do the very thing which must of necessity have the greatest possible influence on the happiness civilization and power of a nation

[1] [*Notions of the Americans Picked Up by a Travelling Bachelor* (Philadelphia 1828) I 263-71 — Text complete ]

There can be no doubt that under a bald theory a representation would be all the better if the most ignorant profligate and vagabond part of the community were excluded from the right of voting It is just as true that if all the rogues and corrupt politicians even including those who read Latin and have well lined pockets could be refused the right of voting honest men would fare all the better But as it is very well known that the latter are not nor cannot well be excluded from the right of suffrage anywhere except in a despotism we have come to the conclusion that it is scarcely worth while to do so much violence to natural justice without sufficient reason as to disfranchise a man merely because he is poor Though a trifling *qualification* of property may sometimes be useful in particular conditions of society there can be no greater fallacy than its *representation* The most vehement declaimers in favor of the justice of the representation of property overlook two or three very important points of the argument A man may be a voluntary associate in a joint-stock company and justly have a right to a participation in its management in proportion to his pecuniary interest but life is not a chartered institution Men are born with all their wants and passions their means of enjoyment and their sources of misery without any agency of their own and frequently to their great discomfort Now though government is beyond a doubt a sort of compact it would seem that those who prescribe its conditions are under a natural obligation to consult the rights of the whole If men when a little better than common were any thing like perfect we might hope to see power lodged with safety in the hands of a reasonable portion of the enlightened without any danger of its abuse But the experience of the world goes to prove that there is a tendency to monopoly wherever power is reposed in the hands of a minority Nothing is more likely to be true than that twenty wise m n will unite in opinions in opposition to a hundred fools but nothing is more certain than that if placed in situations to control all the interests of their less gifted neighbors the chance is that fifteen or sixteen of them would pervert their philosophy to selfishness This was at least our political creed and we therefore admitted a vast majority of the community to a right of voting Since the hour of the Revolution the habits opinions laws and I may say principles of the Americans are getting daily to be more democratic We are perfectly aware that while the votes of a few thousand scat

tered individuals can make no great or lasting impression on the prosperity or policy of the country their disaffection at being excluded might give a great deal of trouble I do not mean to say that the suffrage may not, in most countries, be extended too far I only wish to show you that it is not here

'The theory of representation of property says that the man who has little shall not dispose of the money of him who has more Now what say experience and common sense? It is the man who has much that is prodigal of the public purse A sum that is trifling in his account may constitute the substance of one who is poorer Beyond all doubt the government of the world which is most reckless of the public money is that in which power is the exclusive property of the very rich, and beyond all doubt the government of the world which compared with its means is infinitely the most sparing of its resources is that in which they who enact the laws are compelled to consult the wishes of those who have the least to bestow It is idle to say that an enlarged and liberal policy governs the measures of the one and that the other is renowned for a narrowness which has lessened its influence and circumscribed its prosperity I know not nor care not what men who are dazzled with the glitter of things may choose to say but I am thoroughly convinced from observation that if the advice of those who were influenced by what is called a liberal policy had been followed in our country, we should have been a poorer and consequently a less important and less happy people than at present The relations between political liberality and what is called political prodigality are wonderfully intimate

We find that our government is cheaper and even stronger for being popular There is no doubt that the jealousy of those who have little often induces a false economy and that money might frequently be saved by bidding higher for talent We lay no claims to perfection but we do say that more good is attained in this manner than in any other which is practised elsewhere We look at the aggregate of advantage and neither our calculations nor our hopes have as yet been greatly deceived

'As to the forms of our elections you see that they are beyond example simple and orderly After an experience of near forty years I can say that I have never seen a blow struck nor any other violent proceeding at a poll These things certainly do happen but in com

parison with the opportunities at remarkably long intervals. So far from the frequency of elections tending to disturb society, they produce an exactly different effect A contest which is so soon to be repeated loses half its interest by familiarity Vast numbers of electors are content to be lookers-on rarely approaching a poll except to vote on some question of peculiar concern The struggle is generally whether A or B shall enjoy the temporary honor or the trifling emolument in dispute the community seldom being much the better or the worse for the choice People talk of the fluctuations which are necessarily the consequences of a popular government They do not understand what they say Every other enlightened nation of the earth is at this moment divided between great opposing principles whereas here if we except the trifling collisions of pecuniary interests everybody is of the same mind except as to the ordinary immaterial question of a choice between men We have settled all the formidable points of policy by conceding everything that any reasonable man can ask The only danger which exists to the duration of our confederacy (and that is not a question of a form of government but one of mere policy) proceeds from the little that is aristocratical in our Union The concentrated power of a State may become like the overgrown power of an individual dangerous to our harmony though we think and with very good reason that on the whole even this peculiarity adds to the durability of the Union

It is unnecessary to say that so far as mere convenience goes this method of election can be practised by a hundred millions of people as easily as by twelve As to corruption comparatively speaking it cannot exist No man can buy a state a county or even a town In a hotly contested election it is certainly sometimes practicable to influence votes enough to turn the scale but unless the question involve the peculiar interests of the less fortunate class of society it is clear both parties can bribe alike and then the evil corrects itself If the question be one likely to unite the interests and the prejudices of the humbler classes nine times in ten it is both more humane and wiser that they should prevail That sort of splendid and treacherous policy which gives a fallacious luster to a nation by oppressing those who have the most need of support is manifestly as unwise as it is unjust It violates the very principles of the compact since governments are not formed to achieve but to protect After a sufficient

force has been obtained to effect the first great objects of the association, the governed and not the governors, are the true agents in every act of national prosperity Look at America What people or what monarch if you will has done half so much as we have done compared to our means in the last half century, and precisely for the reaso that the government is obliged to content itself with protection or at the most with that assistance which in the nature of things strictly requires a concentrated action

'It is of far less importance, according to our notions what the executive of a nation is called than that all classes should have a direct influence on its policy We have no king it is true for the word carries with it to our ears an idea of expenditure but we have a head who for the time being has a very reasonable portion of power We are not jealous of him for we have taken good care he shall do no harm

'Though we are glad to find that principles which we have practised and under which we have prospered so long are coming more in fashion in Europe I think you must do us the justice to say that we are not a nation much addicted to the desire of proselyting For ourselves we have no fears, and as for other people if they make some faint imitations of our system and then felicitate themselves on their progress we are well content they should have all the merit of inventors That is a miserable rivalry which would make a monopoly of happiness I think as a people we rather admire you most when we see you advancing with moderation to your object than when we hear of the adoption of sudden and violent means We have ever been reformers rather than revolutionists Our own struggle for independence was not in its aspect a revolution We contrived to give it all the dignity of a war from the first blow Although our generals and soldiers might not have been so well trained as those they fought against they were far more humane considerate and in the end successful than their adversaries Our own progress has been gradual It is not long since a trifling restriction existed on the suffrage of this very State Experience proved that it excluded quite as many discreet men as its removal would admit of vagabonds Now it is the distinguishing feature of our policy that we consider man a reasonable being and that we rather court than avoid the struggle between ignorance and intelligence We find that this policy rarely fails to assure the victory of the latter

while it keeps down its baneful monopolies. We extended the suffrage to include everybody and while complaint is removed we find no difference in the representation As yet it is rather an improvement Should it become an evil however we shall find easy and moderate means to change it since we are certain that a majority will be sufficiently sagacious to know their own interests You have only to convince us that it is the best government and we will become an absolute monarchy tomorrow It is wonderful how prone we are to adopt that which expectation induces us to think will be expedient and to reject that which experience teaches us is bad It must be confessed that so far all our experiments have been in favor of democracy I very well know that you in Europe prophesy that our career will end in monarchy To be candid your prophecies excite but little feeling here since we have taken up the opinion you don t very well understand the subject But should it prove true *a la bonne heure* when we find that form of government best depend on it we shall not hesitate to adopt it You are at perfect liberty if you will to establish a journal in favor of despotism under the windows of the Capitol I will not promise you much patronage at first neither do I think you will be troubled with much serious opposition At all events there is nothing in the law to molest the speculation Now look behind you at the poll we have just left reflect on this fact and then draw your conclusions of our own opinion of the stability of our institutions We may deceive ourselves but you of Europe must exhibit a far more accurate knowledge of the state of *our country* ere we shall rely on your crude prognostics rather than on our own experience

I could scarcely assure myself that Cadwallader was not laughing at me during a good deal of the time he was speaking but after all it must be confessed there is some common sense in what he said There were *three or four* other passengers in the stage men of decent and sober exterior among whom I detected certain interchanges of queer glances though none of them appeared to think the subject of any very engrossing interest *Provoked at* their unreasonable indifference to a theme so delightful as liberty I asked one of them If he did not apprehend there would be an end to the republic should General Jackson become the next President? I rather think not was his deliberate and somewhat laconic answer Why not? he is

a soldier, and a man of ambition" My unmoved yeoman did n care to dispute either of these qualities but he still persevered in thinking there was not much danger since "he did not know anyone in his neighborhood who was much disposed to help a man in such an undertaking'

It is provoking to find a whole nation dwelling in this species of alarming security, for no other reason than that their vulgar and everyday practices teach them to rely on themselves instead of trusting to the rational inferences of philanthropic theorists who have so long been racking their ingenuity to demonstrate that a condition of society which has delusively endured for nearly two hundred years has been in existence all that time in direct opposition to the legitimate deductions of the science of government

## 5

# WILLIAM EMMONS

## DEMOCRATIC REPUBLICANISM[1]

### [LIBERTY AND LUXURY INCOMPATIBLE]

Let us avoid luxury as the greatest bane to liberty Look back to such men as Cincinnatus Hancock Putnam Adams, Jefferson Madison Monroe Jackson and that great champion of equal rights Johnson the hero and patriot of the west whose whole life has been devoted to the cause of civil liberty Come then, fellow citizens animate the strong and encourage the weak to march boldly on until their efforts are crowned with triumphant success Recollect the times are sadly out of joint Man has departed too far from his primitive state

If ever a time existed in this country demanding the immediate action of the people that time is the present Oh then I conjure you by the love of liberty! by the value of true national glory! by the holy ashes of your fathers! by the love you bear toward the partners of your holy love! by the filial affection you owe your children whose duty yours it is to point them to true happiness and Independence to remember like causes produce like effects

### [NAVAL STRENGTH AND NATIONAL REPUTATION]

Fellow citizen as it respects our foreign relations our government is as much if not more in repute than at any former period in our history Our flag is respected on every sea the condition of our navy is superior to any other time since we were a nation our improvements in shipbuilding are greater than any other nation, besides a powerful armament afloat we have many noble ships of the line on the stocks that could if occasion called in a short time be placed on the bosom of the ocean to hurl their thunders on any power that dare cast a stain on our Star-spangled Banner our naval officers generally are worthy

[1]From *An Oration commemorative of the Declaration of Independence delivered Fourth of July 1834 on Boston Common* (Boston 1834) — Abridged.

of the Government and entitled to the fullest confidence of the American people As to our seamen, no nation on earth can boast of such noble generous souls as we can furnish, ever ready to pour forth their blood in defense of their country's honor

Yes fellow citizens, it was reserved to Perry to display a brilliant superiority of American seamanship over our then haughty foe after the conquest of Barclley, such was the ardor of Perry and his Yankee Tars that they formed themselves into a battalion and tendered their services to Col Johnson at the ever memorable Battle of the Thames, which followed in proud succession, thus terminating in brilliancy our western campaign covering with unfading laurels the names of Perry Johnson and McDonough, not forgetting the renowned mounted regiment of Kentucky Riflemen and the brave tars who had the honor to receive *eight hundred stands of arms belonging to the British Army under General Proctor, who made his own escape by flight!*

[COLONEL RICHARD MENTOR JOHNSON POPULAR HERO]

When we contemplate the fearful odds of forces in the memorable Battle of the Thames on the 5th of October 1813 the decided victory achieved by the mounted regiment under the command of that statesman and warrior Colonel Johnson over nearly three times his own number of well disciplined British regulars and Indian warriors under the command of General Proctor and the celebrated Indian Chief Tecumseh whose band alone consisted of more than one thousand five hundred (this body of Indians were concealed in a swamp extending from the River Thames to the road) In order to bring on the battle without exposing the whole to the first fire of the Indians the Colonel addressed his regiment as follows Fellow soldiers the hour has arrived to test our strength I must draw the first fire from the enemy Are there twenty that are willing to die for their country? if so, let them advance At that moment the regiment as one man came forward The Colonel applauded their ardor! As twenty was all he wanted, he selected Major Suggett and nineteen others and moved on to encounter Tecumseh and his band As they advanced they received the fire of the savages and nineteen of the twenty fell dead on the spot, leaving but one man and the Colonel to pursue the charge At this moment the whole regiment followed their brave leader who

had already rece ved two balls in his person but nothing daunted he pressed on in the thickest of the battle dealing death to all around till he came in contact with the mighty chief Tecumseh who at a distance of a few yards raised his rifle and gave the Colonel another wound the severest received during the battle Tecumseh then moved on to dispatch him with his tomahawk raised when within a few feet Colonel Johnson raised a pistol which he had kept concealed and discharged its contents a ball and three buck shot into his breast and laid him dead on the spot Thus fell the greatest chief America ever had to contend with His enmity was like Hannibal to the Romans but before the unconquerable spirit of a Johnson he fell and with him fled the terror of the fight Johnson was taken from the field bleeding and almost lifeless in the arms of Perry assisted by the present Secre tary of War the then General Cass attended by Major Barry and other brave men from Kentucky while his brother Lt Colonel James Johnson continued the charge until victory was complete leaving the field covered with dead and dying

In due time Colonel Johnson was restored although covered with scars received defending his country and has for near thirty years served the people in the national councils and for many years he com batted *alone* against fearful odds on the importance of abolishing imprisonment for debt until he carried his bill in triumph through the *Senate!* His efforts have been responded to in this my native State by a (Frederick) Robinson and other true sons of liberty until the foul stain has been removed which so long continued at the *expense of violating* the chartered rights of man and giving you additional cause this day to rejoice!

The next inroad on the people s liberties he found to attack was the unholy design formed by a party under the name of Religion for stopping the mail s running on a Sunday The memorial was received by a committee raised and Colonel Johnson was appointed Chairman whose report on that occasion has not only been printed in *golden letters* but is also engraven on the hearts of his countrymen[a] If we can judge from the signs of the times a grateful people are about to reward him by the first office in their gift thus giving another evidence that the American people are not *ungra eful* We need not despair while such men as Woodbury Benton Cass Johnson Stevenson and

[a](F the text of this justly praised report see pages 274 281 )

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If time permitted I would point out the dark work that is now going on in Europe and satisfy all thinking and reasonable men that our own land is swarming with their emissaries acting under the mandates of their imperial masters Look, then to your country *teach your children for that country alone to live —for its defense to die!*

a Forsayth are to be found to rally around our institutions and guard them against *constructive powers* Well indeed, it is for us as a people that among all the various parties each can furnish talent of the first order, whose aim should be to watch and ferret out abuses in order to advance the general prosperity of the nation

### [Tribute to President Jackson]

Fellow citizens, unless I turn traitor to the honest conviction of my own mind, I must publicly declare, even if I stand alone, *that I believe the President of the United States to be a persecuted man at the same time acknowledge that he has rendered this nation more real benefit than any of his predecessors since the days of Washington* Yes and the glory and renown that will be awarded him in after time — yea, and by those who now revile him — will endure and increase in splendor even when theirs will be as dust forgot 'Yea, like the baseless fabric of a vision, and leave not a wreck behind

I have recently discovered a new coin which meets with a rapid sale in various parts of the city inscribed my experiment, of near one cent value which brings from two to three cents each The vendors of this coin may well boast of General Jackson s experiment, and well may they 'go the whole hog! ' and cry 'down with the Bank I have no doubt it is the reverence due the General for his *noble experiment* that has induced them to engrave his likeness on brass which enhances the value of their coin As to credit honest men can obtain and none others are entitled to receive it Respecting commerce look to the receipts of customs, or cast your eye on the ocean, and behold it whitened with canvas displayed at their masts is the Stars and Stripes proudly unfurled to the breeze! Look, then fellow citizens to your *own* resources and you will find them abundant Guard your own altars, call up the noble spirit of defense look to your bulwark in the hour of danger Remember that a well regulated militia is the only sure panoply of defense in times of peril See to it then let it fire your souls with the glorious spirit of your ancestors, awake the dormant *suppressed opinions of your countrymen* and organize anew the bulwark of your nation s glory and defense Let it be so kept up as that *all classes* shall bear *equally* its burdens We cannot expect to enjoy our republican institutions if we as a people divest ourselves of the means to perpetuate them.

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meaning or whether they might be stretched to include objects and powers which had never been delegated to the General Government and which consequently still resided with the States as separate sovereignties

The proposition of the Bank was recommended by the Secretary of the Treasury on the ground that such an institution would be of primary importance to the prosperous administration of the finances and of the greatest utility in the operations connected with the support of public credit This scheme then as now, was opposed on various grounds but the constitutional objection constituted then, as it does at the present day the main reason of the uncompromising and invincible hostility of the Democracy to the measure They considered it as the exercise of a very important power which had never been given by the States or the people to the General Government and which the General Government could not therefore exercise without being guilty of usurpation Those who contended that the Government possessed the power effected their immediate object but the controversy still exists And it is of no consequence to tell the Democracy that it is now established by various precedents and by decisions of the Supreme Court that this power is fairly incidental to certain other powers expressly granted for this is only telling them that the advocates of free construction have at times had the ascendancy in the Executive and Legislative and at all times in the Judiciary Department of the Government The Bank question stands now on precisely the same footing that it originally did it is now as it was at first a matter of controversy between the two great parties of this country between parties as opposite as day and night between parties which contend one for the consolidation and enlargement of the powers of the General Government and the other for strictly limiting that Government to the objects for which it was instituted and to the exercise of the means with which it was entru ted The one party is for a popular government the other for an aristocracy The one party is composed *in a great measure* of the farmers mechanics laborers and other producers of the middling and lower classes according to the common gradation by the scale of wealth and the other of the consumers the rich the proud the privileged of those who if our Government were converted into an aristocracy would become our dukes lords marquises and baronets The question is still dis

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# WILLIAM LEGGETT

## DEMOCRATIC EDITORIALS

### *THE DIVISION OF PARTIES*[1]

SINCE THE ORGANIZATION of the Government of the United States the people of this country have been divided into two great parties One of these parties has undergone various changes of name the other has continued steadfast alike to its appellation and to its principles and is now, as it was at first, the *Democracy* Both parties have ever contended for the same opposite ends which originally caused the division whatever may have been at different times, the particular means which furnished the immediate subject of dispute The great object of the struggles of the Democracy has been to confine the action of the General Government within the limits marked out in the Constitution, the great object of the party opposed to the Democracy has ever been to overleap those boundaries and give to the General Government greater powers and a wider field for their exercise The doctrine of the one party is that all power not expressly and clearly delegated to the General Government remains with the *States and with the people the doctrine of the other party is that the* vigor and efficacy of the General Government should be strengthened by a free construction of its powers The one party sees danger from the encroachments of the General Government the other affects to see danger from the encroachments of the States

This original line of separation between the two great political parties of the Republic though it existed under the old Confederation and was distinctly marked in the controversy which preceded the formation and adoption of the present Constitution was greatly widened and strengthened by the project of a National Bank brought forward in 1791 This was the first great question which occurred under the new Constitution to test whether the provisions of that instrument were to be interpreted according to their strict and literal

1 [*New York Evening Post* November 4 1834 — *Text complete* ]

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## RICH AND POOR[1]

The rich perceive acknowledge, and act upon a common interest and why not the poor? Yet the moment the latter are called upon to combine for the preservation of their rights forsooth the community is in danger Property is no longer secure and life in jeopardy This cant has descended to us from those times when the poor and laboring classes had no stake in the community and no rights except such as they could acquire by force But the times have changed though the cant remains the same The scrip nobility of this Republic have adopted towards the free people of this Republic the same language which the feudal barons and the despot who contested with them the power of oppressing the people used towards their serfs and villains as they were opprobriously called

These would be lordlings of the Paper Dynasty cannot or will not perceive that there is some difference in the situation and feelings of the people of the United States and those of the despotic governments of Europe They forget that at this moment our people — we mean emphatically the class which labors with its own hands — is in possession of a greater portion of the property and intelligence of this country ay ten times over than all the creatures of the paper credit system put together This property is indeed more widely and equally distributed among the people than among the phantoms of the paper system and so much the better And as to their intelligence let any man talk with them and if he does not learn something it is his own fault They are as well acquainted with the rights of person and property and have as just a regard for them as the most illustrious lordling of the scrip nobility And why should they not? Who and what are the great majority of the wealthy people of this city we may say of this country? Are they not — we say it not in disparagement but in high commendation — are they not men who began the world comparatively poor with ordinary education and ordinary means? And what should make them so much wiser than their neighbors? Is it because they live in better style ride in carriages and have more money or at least more credit than their poorer neighbors? Does a man become wiser stronger or more virtuous and patriotic because he has a fine house over his head? Does he love his country the

[1] Ibid December 6 1834—Text complete.

puted between these two parties it is ever a new question, and whether the democracy or the aristocracy shall succeed in the present struggle the fight will be renewed whenever the defeated party shall be again able to muster strength enough to take the field The privilege of self government is one which the people will never be permitted to enjoy unmolested Power and wealth are continually stealing from *the many to the few There is a class continually gaining ground in* the community who desire to monopolize the advantage of the Government, to hedge themselves round with exclusive privileges and elevate themselves at the expense of the great body of the people These, in our society, are emphatically the aristocracy and these with all such as their means of persuasion or corruption or intimidation can move to act with them constitute the party which are now struggling *against the democracy for the perpetuation of an odious and dangerous* moneyed institution

Putting out of view, for the present, all other objections to the United States Bank, — that it is a monopoly that it possesses enormous and overshadowing power that it has been most corruptly managed and that it is identified with political leaders to whom the people of the United States must ever be strongly opposed — the *constitutional objection alone is an insurmountable objection to it.*

The Government of the United States is a limited sovereignty The powers which it may exercise are expressly enumerated in the Constitution None not thus stated or that are not necessary and proper to carry those which are stated into effect can be allowed to be exercised by it The power to establish a bank is not expressly given neither is it incidental since it cannot be shown to be necessary to *carry the powers which are given or any of them into effect* That power cannot therefore be exercised without transcending the constitutional limits

This is the *democratic* argument stated in its briefest form The *aristocratic* argument in favor of the power is founded on the dangerous heresy that the Constitution says one thing and means another That ' necessary does not mean *necessary* but simply *convenient* By *a mode of reasoning not looser* than this it would be easy to prove that our Government ought to be changed into a monarchy Henry Clay crowned king and the opposition members of the Senate made peers of the realm and power place and perquisites given to them and their heirs forever

mon effort in one common cause without rousing the cry of danger to the rights of person and property Is not this a government of the people founded on the rights of the people and instituted for the express object of guarding them against the encroachments and usurpations of power? And if they are not permitted the possession of common interest the exercise of a common feeling if they cannot combine to resist by constitutional means these encroachments to what purpose were they declared free to exercise the right of suffrage in the choice of rulers and the making of laws?

And what we ask is the power against which the people not only of this country but of almost all Furope are called upon to array themselves and the encroachment on their rights they are summoned to resist? Is it not emphatically the power of monopoly and the encroachments of corporate privileges of every kind which the cupidity of the rich engenders to the injury of the poor?

It was to guard against the encroachments of power the insatiate ambition of wealth that this government was instituted by the people themselves But the objects which call for the peculiar jealousy and watchfulness of the people are not now what they once were The cautions of the early writers in favor of the liberties of mankind have in some measure become obsolete and inapplicable We are menaced by our old enemies avarice and ambition under a new name and form The tyrant is changed from a steel-clad feudal baron or a minor despot at the head of thousands of ruffian followers to a mighty civil gentleman who comes mincing and bowing to the people with a quill behind his ear at the head of countless millions of magnificent *promises* He promises to make everybody rich he promises to pave cities with gold and he promises to pay In short he is made up of promises He will do wonders such as never were seen or heard of provided the people will only allow him to make his promises equal to silver and gold and human labor and grant him the exclusive benefits of all the great blessings he intends to confer on *them* *He is* the sly selfish grasping and insatiable tyrant the people are now to guard against A *concentrated money power* a usurper in the disguise of a benefactor an agent exercising privileg s which his principal never possessed an impostor who while he affects to wear chains is placed above those who are free a chartered libertine that pretends to be manacled only that he may the more safely pick our pockets and lord it over our

better because he has a French cook and a box at the opera? Or does he grow more learned logical and profound by intense study of the daybook, ledger, bills of exchange *bank promises and notes of hand?*

Of all the countries on the face of the earth or that ever existed on the face of the earth this is the one where the claims of wealth and aristocracy are the most unfounded absurd and ridiculous With no claim to hereditary distinctions with no exclusive rights except what they derive from monopolies and no power of perpetuating their estates in their posterity the assumption of aristocratic airs and claims is supremely ridiculous Tomorrow they themselves may be beggars for aught they know, or at all events their children may become so Their posterity in the second generation will have to begin the world again and work for a living as did their forefathers. And yet the moment a man becomes rich among us he sets up for wisdom he despises the poor and ignorant he sets up for patriotism *he is your only man who has a stake in the community and therefore* the only one who ought to have a voice in the state What folly is this? And how contemptible his presumption? He is not a whit wiser better or more patriotic than when he commenced the world a wagon driver Nay *not half so patriotic for he would see his country* disgraced a thousand times rather than see one fall of the stocks unless perhaps he had been speculating on such a contingency To him a victory is only of consequence as it raises and a defeat only to be lamented as it depresses a loan His soul is wrapped up in a certificate of scrip or a bank note Witness the conduct of these pure patriots during the late war when they at least a large proportion of them not only withheld all their support from the Government but used all their influence to prevent others from giving their assistance *Yet these are the people who alone have a stake in the community* and of course exclusively monopolize patriotism

But let us ask what and where is the danger of a combination of the laboring classes in vindication of their political principles or in defense of their menaced rights? Have they not the right to act in concert when their opponents act in concert? Nay is it not their bounden duty to combine against the only enemy they have to fear as yet in this free country monopoly and a great paper system that grinds them to the dust? Truly this is strange republican doctrine and this is a strange republican country *where men cannot unite in one com*

mon effort in one common cause without rousing the cry of danger to the rights of person and property Is not this a government of the people founded on the rights of the people and instituted for the express object of guarding them against the encroachments and usur pations of power? And if they are not permitted the possession of common interest the exercise of a common feeling if they cannot combine to resist by constitutional means these encroachments to what purpose were they declared free to exercise the right of suffrage in the choice of rulers and the making of laws?

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rights This is the enemy we are now to encounter and overcome before we can expect to enjoy the substantial realities of freedom.

### OBJECTS OF THE EVENING POST[1]

Those who only read the declamations of the opponents of the *equal rights* of the people may be induced to believe that this paper advocates principles at war with the very existence of social rights and social order But what have we asked in the name of the people that such an interested clamor should be raised against them and us? What have we done or said that we should be denounced as incendiaries, striking at the very roots of society and tearing down the edifice of property? It may be useful to recapitulate what we have already done, in order that those who please may judge whether or not we deserve these reproaches from any but the enemies of the equal rights of person and property

In the first place, in designating the true functions of a good government, we placed the protection of property among its first and principal duties *We referred to it as one of the great objects for the attainment* of which all governments were originally instituted Does this savor of hostility to the rights of property?

In the second place we maintained that all grants of monopolies or exclusive or partial privileges to any man or body of men, impaired the equal rights of the people and was in direct violation of the first principle of a free government Does it savor of hostility to the rights of property to maintain that all property has equal rights and that exclusive privileges granted to one class of men or one species of property impair the equal rights of all the others?

As a deduction from these principles we draw the conclusion that charters conferring partial or exclusive monopolies on small fractions of society are infringements on the general rights of society and therefore that the system ought to be abandoned as soon as possible as utterly at war with the rights of the people at large It is here that the shoe pinches and here the clamor against us will be found to originate Thousands and tens of thousands of influential individuals at the bar on the bench in our legislative bodies and everywhere are deeply interested in the continuance of these abuses Lawmakers law expounders and law executors have invested either their money

[1] [*Ibid* January 3 1835 — Text complete ]

or their credit in corporations of every kind and it is not to be won dered at that they should cry out against the abandonment of a system from whence they derive such exorbitant gains

We are accused of violating vested rights when we ask in the name of the people that no more be created and that all those possessing the means and the inclination may be admitted under general regu lations to a participation in the privileges which hitherto have been only enjoyed through the caprice the favor the policy, or the corruption of legislative bodies We never even hinted at touching those vested rights until the period to which they had been extended by law had expired and till it could be done without a violation of legislative faith We defy any man to point out in any of our arguments on this subject a single idea or sentence that will sustain the charge of hostility to actually vested rights Our opposition was prospective not retroactive it was not to present but to future vested rights

In attacking a course of policy in the future do we make war on the p st? In pointing out what we believe errors in former legislation and recommending their abandonment in future do we violate any right of property or recommend any breach of public faith? Or in advocating the equal rights of all do we impair the constitutional rights of any? It might be well for the clamorous few who assail ou. principles and our motives with opprobrious epithets which though they do not understand their purport themselves they mean should convey the most dishonorable imputations — it might be well for them to answer these questions before they resort to railing

One of the greatest supports of an erroneous system of legislation is the very evil it produces When it is proposed to remedy the mischief by adopting a new system every abuse which has been the result of the old one becomes an obstacle to reformations Every political change however salutary must be injurious to the interests of some and it will be found that those who profit by abuses are always more clamorous for their continuance than those who are only opposing them from motives of justice or patriotism are for their abandonment Such is precisely the state of the question of monopoly at this moment

Under the abuses of the right to grant exclusive privileges to the few which is a constructive if not a usurped power a vast and con centrated interest and influence has grown up among us which will

rights This is the enemy we are now to encounter and overcome before we can expect to enjoy the substantial realities of freedom.

## *OBJECTS OF THE EVENING POST*[1]

Those who only read the declamations of the opponents of the *equal rights* of the people may be induced to believe that this paper advocates principles at war with the very existence of social rights and social order But what have we asked in the name of the people that such an interested clamor should be raised against them and us? What have we done or said that we should be denounced as incendiaries striking at the very roots of society and tearing down the edifice of property? It may be useful to recapitulate what we have already done, in order that those who please may judge whether or not we deserve these reproaches from any but the enemies of the equal rights of person and property

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heaven does its rains shower its favors alike on the high and the low the rich and the poor it would be an unqualified blessing

This is the language of our venerated President and the passage deserves to be written in letters of gold for neither in truth of sentiment or beauty of expression can it be surpassed We choose it as our text for a few remarks on the true functions of government

The fundamental principle of all governments is the protection of person and property from domestic and foreign enemies in other words to defend the weak against the strong By establishing the social feeling in a community it was intended to counteract that selfish feeling which in its proper exercise is the parent of all worldly good and in its excesses the root of all evil The functions of government when confined to their proper sphere of action are therefore restricted to the making of *general laws* uniform and universal in their operation for these purposes and for no other

Governments have no right to interfere with the pursuits of individuals as guaranteed by those general laws by offering encouragements and granting privileges to any particular class of industry or any select bodies of men inasmuch as all classes of industry and all men are equally important to the general welfare and equally entitled to protection

Whenever a government assumes the power of discriminating between the different classes of the community it becomes in effect the arbiter of their prosperity and exercises a power not contemplated by an intelligent people in delegating their sovereignty to their rulers It then becomes the great regulator of the profits of every species of industry and reduces men from a dependence on their own exertions to a dependence on the caprices of their government Governments possess no delegated right to tamper with individual industry a single hair s breadth beyond what is essential to protect the rights of person and property

In the exercise of this power of intermeddling with the private pursuits and individual occupations of the citizen a government may at pleasure elevate one class and depress another it may one day legislate exclusively *for the farmer* the next for the mechanic and the third for the manufacturer who all thus become the mere puppets of legislative cobbling and tinkering instead of independent citizens relying on their own resources for their prosperity It assumes the

undoubtedly be seriously affected in its monopoly of gain from that source by the discontinuance of their chartered privileges when they shall expire by their own limitation The admission of all others having the means and the inclination to associate for similar purposes by destroying the monopoly at one blow will in all probability diminish the prospect of future gains and these will be still further curtailed by at first restricting banks in their issues of small notes and in the amount of notes they are permitted to put into circulation and finally by repealing the restraining law and throwing banking open to the free competition of the whole community These may prove serious evils to the parties concerned, but it is a poor argument to say that a bad system should be persevered in lest a small minority of the community should suffer some future inconvenience The magnitude of the evils produced by an erroneous system of legislation far from being a circumstance in favor of its continuance or increase, is the strongest argument in the world for its being abandoned as soon as possible Every reformation may in this way be arrested under the pretense that the evils it will cause are greater than those it will cure. On the same principle the drawing of a tooth might be opposed on the ground that the pain is worse than that of the toothache keeping out of sight the fact that the one is a lasting and increasing the other a momentary evil

It is the nature of political abuses to be always on the increase unless arrested by the virtue intelligence and firmness of the people If not corrected in time they grow up into a gigantic vigor and notoriety which at length enables them to wrestle successfully with the people and overthrow them and their rights The possessors of monopolies and exclusive privileges which form the essence of every bad government, pervert a long perseverance in the wrong into a political right abuses grow venerable by time usurpation matures into proscription distinctions become hereditary and what cannot be defended by reason is maintained on the ground that a long continuance of wrongs and a long possession of rights are equally sacred

## *TRUE FUNCTIONS OF GOVERNMENT*[4]

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has made a fortune and another because he has failed in the pursuit of that object one because of its beauty and another because of its deformity Our Government has thus exercised the right of dispensing favors to one or another class of citizens at will of directing its patron age first here and then there of bestowing one day and taking back the next of giving to the few and denying to the many of investing wealth with new and exclusive privileges and distributing as it were at random and with a capricious policy in unequal portions what it ought not to bestow or what if given away should be equally the portion of all

A government administered on such a system of policy may be called a government of equal rights, but it is in its nature and essence a disguised despotism. It is the capricious dispenser of good and evil without any restraint except its own sovereign will It holds in its hand the distribution of the goods of this world and is consequently the uncontrolled master of the people

Such was not the object of the Government of the United States nor such the powers delegated to it by the people The object was beyond doubt to protect the weak against the strong by giving them an equal voice and equal rights in the state not to make one portion stronger the other weaker at pleasure by crippling one or more classes of the community or making them tributary to one alone This is too great a power to entrust to government. It was never given away by the people and is not a right but a usurpation

Experience will show that this power has always been exercised under the influence and for the exclusive benefit of wealth It was never wielded in behalf of the community Whenever an exception is made to the general law of the land founded on the principle of equal rights it will always be found to be in *favor of wealth* These immunities are never bestowed on the poor They have no claim to a dispensation of exclusive benefits and their only business is to *take care of the rich that the rich may take care of the poor*

Thus it will be seen that the sole reliance of the laboring classes who cons itute a vast majority of every people on the earth is the great principle of *equal rights* that their only safeguard against oppression is a system of legislation which leaves all to the free exercise of their talents and industry within the limits of the general law and which on no pretense of public good bestows on any particular class

functions which belong alone to an overruling Providence and affects to become the universal dispenser of good and evil

This power of regulating, of increasing or diminishing the profits of labor and the value of property of all kinds and degrees by direct legislation, in a great measure destroys the essential object of all civil compacts which as we said before, is to make the social a counterpoise to the selfish feeling By thus operating directly on the latter by offering one class a bounty and another a discouragement, they involve the selfish feeling in every struggle of party for the ascendancy and give to the force of political rivalry all the bitterest excitement of personal interests conflicting with each other Why is it that parties now exhibit excitement aggravated to a degree dangerous to the existence of the Union and to the peace of society? Is it not that by frequent exercises of partial legislation almost every man's personal interests have become deeply involved in the result of the contest? In common times the strife of parties is the mere struggle of ambitious leaders for power now they are deadly contests of the whole mass of the people whose pecuniary interests are implicated in the event because the Government has usurped and exercised the power of legislating on their private affairs The selfish feeling has been so strongly called into action by this abuse of authority as almost to overpower the social feeling which it should be the object of a good government to foster by every means in its power

No nation knowingly and voluntarily with its eyes open, ever delegated to its government this enormous power which places at its disposal the property the industry and the fruits of the industry of the whole people As a general rule the prosperity of rational men depends on themselves Their talents and their virtues shape their fortunes They are therefore the best judges of their own affairs and should be permitted to seek their own happiness in their own way untrammeled by the capricious interference of legislative bungling so long as they do not violate the equal rights of others nor transgress the general laws for the security of person and property

But modern refinements have introduced new principles in the science of government Our own Government most especially has assumed and exercised an authority over the people not unlike that of weak and vacillating parents over their children and with about the same degree of impartiality One child becomes a favorite because he

religion may be elected to the highest executive or legislative trust, the most liberal and enlightened divine is excluded In our view of the subject neither of them should be proscribed They should both be left to stand on the broad basis of equal political rights and the intelligence and virtue of the people should be trusted to make a selection from an unbounded field This is the true democratic theory but this is a subject apart from that which it is our present purpose to consider

No one can pay the most cursory attention to the state of religion in the United States without being satisfied that its true interests have been greatly promoted by divorcing it from all connection with political affairs In no other country of the world are the institutions of religion so generally respected and in no other is so large a proportion of the population included among the communicants of the different Christian churches The number of Christian churches or congregations in the United States is estimated in a carefully prepared article of religious statistics in the *American Almanac* of the present year at upwards of sixteen thousand and the number of communicants at nearly two millions or one-tenth of the entire population In this city alone the number of churches is one hundred and fifty and their aggregate capacity is nearly equal to the accommodation of the whole number of inhabitants It is impossible to conjecture from any data within our reach the amount of the sum annually paid by the American people of their own free will for the support of the ministry and the various expenses of their religious institutions but it will readily be admitted that it must be enormous These then are the auspicious results of *perfect free trade in religion* — of leaving it to manage its own concerns in its own way without government protection regulation or interference of any kind or degree whatever

The only instance of intermeddling on the part of the civil authorities with matters which being of a religious character properly belong to the religious guides of the people is the proclamation which it is the custom for the Governor of each State annually to issue appointing a day of general thanksgiving or a day of general fasting and prayer We regret that even this single exception should exist to that rule of entire separation of the affairs of state from those of the church the observance of which in all other respects has been followed by the happiest results It is to the source of the proclamation not to its

of industry or any particular body of men rights or privileges no equally enjoyed by the great aggregate of the body politic.

Time will remedy the departures which have already been made from this sound republican system if the people but jealously watch and indignantly frown on any future attempts to invade their equal rights or appropriate to the few what belongs to all alike To quote in conclusion the language of the great man with whose admirable sentiment we commenced these remarks, ' it is time to pause in our career — if we cannot at once, in justice to the interests vested under improvident legislation, make our government what it ought to be we can at least take a stand against all new grants of monopolies and exclusive privileges and against any prostitution of our Government to the advancement of the few at the expense of the many '

## *THANKSGIVING DAY*[1]

In framing our political institutions the great men to whom that important trust was confided, taught by the example of other countries the evils which result from mingling civil and ecclesiastical affairs were particularly careful to keep them entirely distinct Thus the Constitution of the United States mentions the subject of religion at all only to declare that ' no religious test shall ever be required as a qualification to any office or public trust in the United States The Constitution of our own state specifies that the free exercise and enjoyment of religious professions and worship without discrimination or preference shall forever be allowed in this State to all mankind and so fearful were the framers of that instrument of the dangers to be apprehended from a union of political and religious concerns that they inserted a clause of positive interdiction against ministers of the gospel declaring them forever ineligible to any civil or military office or place within the state In this last step we think the jealousy of religious interference proceeded too far We see no good reason why preachers of the gospel should be partially disfranchised any more than preachers against it or any more than men devoted to any other profession or pursuit This curious proscriptive article of our Constitution presents the startling anomaly that while an infidel who delivers stated Sunday lectures in a tavern against all

[1] [*Plaindealer* December 3 1836 — Abridged ]

in their original characters as opposite as the poles the lapse of a little time may reduce them to a perfect similitude and render them entirely convertible? If age has in it such power as to render venerable what is not so in its intrinsic nature then is paganism more venerable than Christianity since it has existed from a much more remote antiquity But what is wrong in principle must continue to be wrong to the end of time however sanctioned by custom. It is in this light we consider the gubernatorial recommendation of a day of thanksgiving and because it is wrong in principle and not because of any particular harm which the custom has yet been the means of introducing we should be pleased to see it abrogated We think it can hardly be doubted that if the duty of setting apart a day for a general expression of thankfulness for the blessings enjoyed by the community were submitted wholly to the proper representatives of the different religious sects they would find no difficulty in uniting on the subject and acting in concert in such a manner as should give greater solemnity and weight to their proceeding than can ever attach to the proclamation of a political governor stepping out of the sphere of his constitutional duties and taking upon himself to direct the religious exercises of the people We cannot too jealously confine our political functionaries within the limits of their prescribed duties We cannot be too careful to keep entirely separate the things which belong to government from those which belong to religion The political and the religious interests of the people will both flourish the more prosperously for being wholly distinct The condition of religious affairs in this country fully proves the truth of the position and we are satisfied it would receive still further corroboration if the practice to which we object were reformed

## ASSOCIATED EFFORT*

Some days ago we observed in one of the newspapers a paragraph stating that a meeting of mechanics and laborers was about to be held in this city for the purpose of adopting measures of concerted or combined action against the practice which we have reason to believe exists to a very great extent of paying them in the uncurrent notes of distant or suspected banks No such meeting however as far as

* [Ibid December 10 1836 — Text complete]

purpose that we chiefly object The recommending a day of thanksgiving is not properly any part of the duty of a political Chief Magistrate, it belongs, in its nature, to the heads of the church not to the head of the State

It may very well happen and indeed it has happened in more instances than one that the chief executive officer of a State has been a person who if not absolutely an infidel or sceptic in religious matters has at least in his private sentiments and conduct been notoriously disregardful of religion What mockery for such a person to call upon the people to set apart a day for returning acknowledgments to Almighty God for the bounties and blessings bestowed upon them! But even when the contrary is the case and it is well known that the Governor is a strictly religious man, he departs very widely from the duties of his office in proclaiming in his gubernatorial capacity and under the seal of the State that he has appointed a particular day as a day of general thanksgiving This is no part of his official business as prescribed in the Constitution It is not one of the purposes for which he was elected If it were a new question and a Governor should take upon himself to issue such a proclamation for the first time the proceeding could scarcely fail to arouse the most sturdy opposition from the people Religious and irreligious would unite in condemning it the latter as a gross departure from the specified duties for the discharge of which alone the Governor was chosen and the former as an unwarrantable interference of the civil authority with ecclesiastical affairs and a usurpation of the functions of their own duly appointed ministers and church officers We recollect very distinctly what an excitement arose in this community a few years ago when our Common Council following the example of the Governor undertook to interfere in a matter which belonged wholly to the clerical functionaries and passed a resolution recommending to the various ministers of the gospel the subject of their next Sunday discourse The Governor s proclamation would itself provoke equal opposition if men s eyes had not been sealed by custom to its inherent impropriety

If such a proceeding would be wrong instituted now for the first time can it be right because it has existed for a long period? Does age change the nature of principles and give sanctity to error? Are truth and falsehood of such mutable and shifting qualities that though

## LEADING PUBLIC OPINION[1]

There are several public journals in this country which owing to circumstances of position deserve and receive a good deal of attention from the newspaper press generally to which very little respect would be due on account of any intrinsic qualities they possess

What is leading public opinion? Public opinion we take to be composed of the opinions of individuals When the sentiments of a majority of the thinking men of a community concur on any given subject their opinions are the public opinion Any person who whether by the mere influence of his character or by argument seeks to change to any extent the prevailing opinion or the views of any individual of the prevailing number may be said in a certain sense to assume the character of a leader of public opinion Every man s example is in a greater or less degree a leading influence and it is not merely the undoubted right but it is the imperative duty of a good citizen to do all within the compass of his opportunities to lead the public opinion aright to lead it in the direction which he conceives will most effectually promote general prosperity and social order and happiness

If this is the duty of a private individual it becomes in a much stronger point of view that of the conductor of a newspaper press His vocation is emphatically that of a public leader Its obligations are very imperfectly and impotently discharged if he confines himself to the mere drudgery of chronicling events It requires him to maintain principles investigate measures expose the evil motives and effects of erroneous public conduct tear off the veil in which sophistry conceals its object and assist the cause of truth with every argument that reason can furnish and every embellishment that fancy affords To discharge fully the duties of a public journalist would be to elevate the vocation to the loftiest summit of human dignity and usefulness A public journalist animated with a due sense of the obligations of his responsible trust and gifted with the faculties intellectual and physical for their adequate performance would well deserve to be a public leader in a more extended signification of the phrase than that in which we desire it should be understood He should have a head cool clear and sagacious a heart warm and benevolent a nice sense of justice an inflexible regard for truth honesty that no temptation

[1] [Ibid January 2 1837 — Abridged]

we can learn, has yet been held We hope it soon will be for the object is a good one and there is no other way of resisting the rapacious and extortionate custom of employers paying their journeymen and laborers in depreciated paper half so effectual as combination

There are some journalists who affect to entertain great horror of combinations, considering them as utterly adverse to the principles of free trade, and it is frequently recommended to make them penal by law Our notions of free trade were acquired in a different school and dispose us to leave men entirely at liberty to effect a proper object either by concerted or individual action The character of combinations in our view, depends entirely upon the intrinsic character of the end which is aimed at In this subject under consideration, the end proposed is good beyond all possibility of question There is high warrant for saying that the *laborer is worthy of his hire*, but the employer who takes advantage of his necessities and defenselessness to pay him in a depreciated substitute for money does not give him his hire he does not perform his engagement with him he filches from the poor man a part of his hard earned wages and is guilty of a miserable fraud Who shall say that this sneaking species of extortion ought not to be prevented? Who will say that separate individual action is adequate to that end? There is no one who will make so rash an assertion

The only effectual mode of doing away the evil is by attacking it with the great instrument of the rights of the poor — associated effort There is but one bulwark behind which mechanics and laborers may safely rally to oppose a common enemy who if they ventured singly into the field against him would cut them to pieces that bulwark is the *principle of combination* We would advise them to take refuge behind it only in extreme cases because in their collisions with their employers as in those between nations the manifold evils of a siege are experienced more or less by both parties and are therefore to be incurred only in extreme emergencies But the evil of being habitually paid in a depreciated substitute for money of being daily cheated out of a portion of the just fruits of honest toil of having a slice continually clipped from the hard earned crust is one of great moment and is worthy of such an effort as we propose

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## THE MORALS OF POLITICS[1]

Public moralists have long noticed with regret that the political contests of this country are conducted with intemperance wholly unsuited to conflicts of reason and decided in a great measure by the efforts of the worst class of people We apply this phrase not to those whom the aristocracy designate as the lower orders but to those only whether well or ill dressed and whether rich or poor who enter into the struggle without regard for the inherent dignity of politics and without reference to the permanent interests of their country and of mankind, but animated by selfish objects by personal preferences or prejudices the desire of office or the hope of accomplishing private ends through the influence of party Elections are commonly looked upon as a mere game on which depends the division of party spoils the distribution of chartered privileges and the allotments of pecuniary rewards The antagonist principles of government which should constitute the sole ground of controversy are lost sight of in the eagerness of sordid motives and the struggle which should be one of pure reason with no aim but the achievement of political truth and the promotion of the greatest good of the greatest number sinks into a mere brawl in which passion avarice and profligacy are the prominent actors

If the questions of government could be submitted to the people in the naked dignity of abstract propositions men would reason upon them calmly and frame their opinions according to the preponderance of truth There is nothing in the intrinsic nature of politics that appeals to the passions of the multitude It is an important branch of morals and its principles like those of private ethics address themselves to the sober judgment of men A strange spectacle would be presented should we see mathematicians kindle into wrath in the discussion of a problem and call on their hearers in the angry terms of demagogues to decide on the relative merits of opposite modes of demonstration The same temperance and moderation which characterize the investigation of truth in the exact sciences belong not less to the inherent nature of politics when confined within the proper field

The object of all politician in the strict sense of the expression is happiness the happiness of a state the greatest possible sum of

[1] [Ibid June 3 1837 — Abridged]

could corrupt intrepidity that no danger could intimidate and independence superior to every consideration of mere interest, enmity or friendship He should possess the power of diligent application and be capable of enduring great fatigue He should have a temperament so happily mingled that while he easily kindled at public error or injustice his indignation should never transgress the bounds of judgment but in its strongest expression show that smoothness and amenity which the language of choler always lacks He should in short be such a man as a contemporary writer described that sturdy democrat old Andrew Fletcher of Saltoun — a gentleman steady in his principles of nice honor abundance of learning brave as the sword he wears and bold as a lion a sure friend and irreconcilable enemy who would lose his life readily to serve his country and would not do a base thing to save it This is the *beau ideal* of the character of a conductor of a political newspaper

The reader may be disposed to interrupt us here and tell us that we are drawing an outline of an editor which no human being can fill It is nevertheless the model which all who undertake the vocation should propose to themselves and according to the degree in which their emulation succeeds is the approbation they deserve

The charge of arrogance is misapplied when aimed at those who like ourselves have neither the natural nor acquired talents necessary to the most perfect discharge of editorial functions Circumstances thrust one man into one vocation and another into another and all that can justly be required of him is that he should exercise with diligence and fidelity such talents and skill as he has to promote the interests of truth and of his fellow man Every physician cannot be a Boerhaave or a Rush every lawyer a Coke or a Hamilton nor every newspaper editor an Ames or a Bryant But it is in the power of every one to be an honest man and to exert his powers with constant assiduity and integrity for the promotion of sound principles of public government or in other words to lead the public opinion aright The conductor of the humblest newspaper occupies the centre of a circle of larger influence than more commanding intellects if shut out from access to the press and the duty to obey punctually *but censure freely* which Jeremy Bentham sets down as a maxim for the government of every good citizen should be considered especially incumbent upon him

It is to this fact we are persuaded that the immorality and licen tiousness of party contests are to be ascribed If government were restricted to the few and simple objects contemplated in the demo- cratic creed the mere protection of person life and property if its functions were limited to the mere guardianship of the equal rights of men and its action in all cases were influenced not by the paltry suggestions of present expediency but the eternal principles of justice we should find reason to congratulate ourselves on the change in the improved tone of public morals as well as in the increased prosperity of trade.

The religious man then as well as the political and social moralist should exert his influence to bring about the auspicious reformation Nothing can be more self-evident than the demoralizing influence of special legislation It degrades politics into a mere scramble for rewards obtained by a violation of the equal rights of the people it perverts the holy sentiment of patriotism induces a feverish avidity for sudden wealth fosters a spirit of wild and dishonest speculat on withdraws industry from its accustomed channels of useful occupa tion confounds the established distinctions between virtue and vice honor and shame respectability and degradation pampers luxury and leads to intemperance dissipation and profligacy in a thousand forms

The remedy is easy It is to confine government within the nar r west limits of necessary duties It is to disconnect bank and state It is to give freedom to trade and leave enterprise competition and a just public sense of right to accomplish by their nat ral energies what the artificial system of legislative checks and balances has so signally failed in accomplishing The Federal Government has nothing to do but to hold itself entirely aloof from banking aving no more connection with it than if banks did not exist It should receive its revenues in nothing not recognized as money by the Constitution and pay nothing else to those employed in its service The state govern ments should repeal their laws imposing restraints on the free exercise of capital and credit They should avoid for the future all legislation not in the fullest accordance with the letter and spirit of that glorious maxim of democratic doctrine which acknowledges the equality of man s political rights These are the easy steps by which we might arrive at the consummation devoutly to be wished

The steps are easy but passion ignorance and selfishness are

happiness of which the social condition admits to those individuals who live together under the same political organization It may be asserted as an undeniable proposition that it is the duty of every intelligent man to be a politician This is particularly true of a country the institutions of which admit every man to the exercise of equal suffrage All the duties of life are embraced under the three heads of religion politics and morals The aim of religion is to regulate the conduct of man with reference to happiness in a future state of being of politics to regulate his conduct with reference to the happiness of communities, and of morals to regulate his conduct with reference to individual happiness

Happiness then is the end and aim of these three great and comprehensive branches of duty and no man perfectly discharges the obligations imposed by either who neglects those which the others enjoin The right ordering of a state affects, for weal or woe the interests of multitudes of human beings and every individual of those multitudes has a direct interest, therefore in its being ordered aright

The sole legitimate object of politics then is the happiness of communities They who call themselves politicians having other objects are not politicians but demagogues But is it in the nature of things that the sincere and single desire to promote such a system of government as would most effectually secure the greatest amount of general happiness can draw into action such violent passions prompt such fierce declamation authorize such angry criminations and occasion such strong appeals to the worst motives of the venal and base as we constantly see and hear in every conflict of the antagonist parties of our country? Or does not this effect arise from causes improperly mixed with politics and with which they have no intrinsic affinity? Does it not arise from the fact that government instead of seeking to promote the greatest happiness of the community by confining itself rigidly within its true field of action has extended itself to embrace a thousand objects which should be left to the regulation of social morals and unrestrained competition one man with another without political assistance or check? Are our elections in truth a means of deciding mere questions of government or does not the decision of numerous questions affecting private interests schemes of selfishness, rapacity and cunning depend upon them even more than cardinal principles of politics?

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gathered round them and oppose our ascent Agrarian leveller, and visionary are the epithets, more powerful than arguments, with which they resist us Shall we yield, discouraged, and submit to be always governed by the worst passions of the worst portions of mankind or, by one bold effort shall we regenerate our institutions and make government, indeed, not the dispenser of privileges to a few for their efforts in subverting the rights of the many but the beneficent promoter of the equal happiness of all? The monopolists are prostrated by the explosion of their overcharged system they are wrecked by the regurgitation of their own flood of mischief, they are buried beneath the ruins of the baseless fabric they had presumptuously reared to such a towering height

Now is the time for the friends of freedom to bestir themselves. Let us accept the invitation of this glorious opportunity to establish on an enduring foundation the true principles of political and economic freedom

# 7

# MARTIN VAN BUREN

## POLITICAL OPINIONS[1]

### [A NATIONAL BANK]

I AM OPPOSED to the establishment of a National Bank in any form or under any disguise both on constitutional grounds and grounds of expediency The power to create such an institution has not been given to Congress by the Constitution neither is it necessary to the exercise of any of the powers which are granted and if exercised would be as it always has been highly injurious to the public welfare These opinions alike adverse to the constitutionality and expediency of a National Bank have been frequently and extensively laid before the people and sometimes on occasions of deep interest

I might rest here content with this explicit avowal and proceed to reply to your other interrogatories were it not that this appears to me a proper occasion to advert to the deplorable calamities inflicted on the people by the conduct and final catastrophe of the late Bank through the perversion of its means and the abuse of its power It is true that this institution is now no more It has sunk under the weight of its own enormities and has left nothing behind but the wrecks of its career But the interests pecuniary and political the parents who first gave it birth and the nurses by whom it was fostered still survive with the same means of producing another offspring and the same disposition to employ them whenever a favorable opportunity presents itself The question of a National Bank is still before the people and will continue to be so long as avarice and ambition see in it the means of gratifying the love of money and the love of power It is one of the greatest leading measures of a party which will never be extinct in this country It is essential to the acquisition

[1] [From *Opinions of Mr Van Buren on the subjects of a National Bank Distribution of the Proceeds of the Public Lands an Exchequer or Government Fiscal Agent a Tariff the Veto Power and a National Convention* Mr Van Buren s Reply to the Democratic State Convention of Indiana 1843 — Abridged ]

as well as preservation of its power and will never be relinquished while there exists a hope of its attachment The only security against its revival is in the public opinion and even that has more than once been found to be an insufficient barrier For this reason I conceive it proper that every occasion should be taken to recall to the public recollection, by way of a warning example what otherwise it might be better for the honor of our country to bury in oblivion

My views on the subject of exchanges and of the propriety necessity, or expediency of any interference of government in their regulation were communicated to Congress in 1837 To repeat them here would lengthen this communication, which from a desire to answer your questions fully frankly and explicitly will I fear be extended to the verge of tediousness I must, therefore respectfully refer to that document You will there see a clear broad distinction between that species of exchanges aptly denominated kiting which was little better than an instrument of fraud and bills drawn for the transfer of actual funds from one place to another I endeavored also to satisfy Congress of what is now so apparent that the exchanges would here as they do in other countries regulate themselves if Congress would but leave them as they are left elsewhere to the management of private enterprise It is doubtless within your recollection what a tempest of denunciation I received from those who thought proper to overlook those considerations The opinions then advanced would it is quite certain be received with more favor now and I have only to add that they have undergone no other change than that of additional conviction arising from additional experience of their truth

The tremendous power of a bank for evil when impelled by avarice and ambition self preservation or vengeance has been seen It is a maxim in every government constituted on free principles to withhold all power from rulers which is not indispensable to the preservation and defense of the rights of person and property And this maxim is founded on the experience of mankind which has taught them by a long series of suffering that not only is power much more liable to abuse than to beneficial exercise but that with the purest intentions it can do far less good than it can perpetrate mischief when perverted to evil The people of the United States have repudiated despotic or

discretionary power in all their political institutions because of its propensity to abuse Yet they have been and mark my words will be again and again called upon to create a despotic irresponsible moneyed power stronger than their government because it is expected to do what that government cannot of itself perform I hope and trust that such appeals will never again be successful and that the good people of the United States will always bear in mind that an institution which can do what its advocates affirm this can must if subservient to the government give it a vast accession of power dangerous to the rights of the States and which if from any cause it should become hostile can either subject that government to its will or like the defunct institution of which I have spoken involve the country in confusion and difficulty its government in perpetual struggles and its people in an interminable series of panic and dismay Nothing but an ever watchful vigilance on the part of the people will prevent a recurrence of these evils The enemy is not dead nor doth he sleep The schism in the ranks of the opponents of the democracy turns almost exclusively on the question of a National Bank and the complete triumph of federalism will be the precursor of such an institution

In expressing my opposition to all the schemes which have been submitted to the Congress at its last session for managing the fiscal concerns of the country involving as they all do a union of bank and state I do but speak the sentiments of a vast majority of my fellow citizens as evinced in the votes of their representatives and in the almost universal condemnation they have apparently received at the hands of the people themselves

The manufacture of paper money has been attempted in every form it has been tried by individuals been transferred to corporations by the States then to corporations by Congress engaged in by the States themselves and has signally failed in all It has in general proved not the handmaid of honest industry and well regulated enterprise but the pampered menial of speculation idleness and fraud It has corrupted men of the highest standing almost destroyed the confidence of mankind in each other and darkened our criminal calendar with names that might otherwise have conferred honor and benefit on the country There is strong ground for believing that such a system must have some innate incurable defect of which no legislation

can divest it and against which no human wisdom can guard or human integrity sustain itself

The history of the past however leaves little room for doubt that paper money in some form will notwithstanding continue to constitute part of the circulating medium of the country But my most sincere and ardent wish is that its issue by the Federal Government may in all future time be prevented The lights of experience have in vain been diffused, the lessons of repeated and widespread ruin have been unavailing, if there be any who yet can bring themselves to believe that the Government of the United States, which possesses nothing but what it receives from the people, can bestow on them anything other than what it has thus received If it contracts loans the people must pay them and if it issues paper money it must be redeemed by the people How then can relief to the people be derived from incurring obligations which they themselves must redeem?

But in addition to this deception, I might almost say fraud on the people there is a decisive objection to the issue of paper currency by governments upon whatever principle it may be founded The experience of all nations where this expedient has been adopted demonstrates that this is a prerogative which will always be abused It gives almost unlimited facilities for raising money and has everywhere led to extravagant expenditures public debt and heavy burdens always increasing and never diminished Where extravagant appropriations can be met by a mere vote of Congress and without an immediate resort to the pockets of the people there will be found no sufficient check to boundless prodigality, except when the government finally loses its credit by pushing it to excess It is then that it reacts upon the people for this great resource being exhausted the whole superstructure of credit falls on their hands and they must bear it as best they can

To insure economy in public expenditures it is indispensable that those by whom they are authorized should have some difficulty and even serious responsibility in obtaining the means of defraying them In no other way can extravagance be prevented since it is the nature of man to spend that heedlessly which he acquires without effort and to think little of that which costs little trouble to gain

I have dwelt more at length on that part of your inquiry which

relates to a National Bank than I might otherwise have done from a belief that you look upon it as one of the most vital consequence to the public welfare In this I entirely coincide with you Such being the case it seems due to you as well as to myself to say that in referring to the public declarations I have heretofore made on this subject I have been in no degree influenced by any feeling of dissatisfaction at the repetition of these inquiries on the present occasion So far from this I most highly applaud the enlightened patriotism of the democ racy of Indiana in seizing an occasion so appropriate as that of an approaching Presidential election to require new securities that the principles they themselves cherish should be carried out to their fullest extent, and more especially on this all important question

[PROCEEDS OF SALE OF PUBLIC LANDS]

The tenacity with which our opponents adhere to the distribution of the proceeds of the public lands among the states in the present condition of the Treasury is a political anomaly which it is not a little difficult to explain or to reconcile with a fair understanding of or a proper regard for the true interests of the country If any apology for it can be made it is to be traced to that unwillingness to abandon *in* the face of their opponents a position which has been assumed with confidence and supported with earnestness — an indisposition from which but few political associations are altogether exempt Whatever may have been expected from the measure by its authors or however plausibly deceptive its theory may have been at a period when the country was threatened with the evils incident to an overflowing treasury subsequent experience in regard to the working of our polit ical and financial systems ought long since to have satisfied every reflecting mind as well of its utter inutility as a means of relief to the States as of its destructive tendency to the stability and welfare of the Union As the matter now stands and has for years stood it presents in the former aspect the simple question whether the people of the States can possibly be benefited by receiving into the state treasury a certain sum of money annually to be immediately re collected from themselves in the shape of taxes upon what they eat drink and wear with the addition of the expenses of collection Every attempt to give the measure any other tenable aspect has

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proved utterly unavailing It is certainly paying but a poor compliment to the capacity of the people to suppose for a moment that they could be brought by any pretext however plausible to stultify themselves so far as to adopt a proposition so preposterous Can any intelligent mind hesitate in giving to it a prompt negative? And can any patriotic one fail to regret that the character of our people for intelligence and sagacity, in the estimation of mankind, should be exposed to hazard by the grave and continued agitation of such a question before them?

It can after this and after what I have heretofore said upon the subject be scarcely necessary to repeat that I am opposed to the distribution of the proceeds of the public lands among the states. The best evidence I can give you of my present opinion in regard to the proper disposition of the public lands is to refer you to those which are avowed and acted upon by me while in office and which were very fully stated in my first annual message to Congress in December, 183/

[PROTECTIVE TARIFFS]

My views in relation to the Protective System were also called for by the Shocco Springs meeting in 1832 and freely given A conviction that the establishment of commercial regulations with a view to the encouragement of domestic interests is within the constitutional power of Congress was on that occasion distinctly avowed But holding this opinion I at the same time denied the propriety of exercising this power in a manner calculated to oppress any portion of my fellow citizens or to advance the interests of one section of the Union at the expense of another I on the contrary affirmed it to be the duty of those who are entrusted with the administration of the Federal Government to direct its operations in the manner best calculated to distribute as equally as possible its burdens and blessings among the several *States and the people thereof In addition to the declaration of these* general views I suggested more specific rules for the action of the Government in this particular by the observance of which I believed those views would be most likely to be carried into fair effect

Adequate revenue for the support of all governments must be derived from some source It has nowhere been found an easy task to preserve equality in raising it and at the same time to overcome the

general repugnance to the payment of taxes in any shape a repugnance arising more from an apprehension that their avails will not be wisely applied than from an unwillingness on the part of the people to sustain their government by the necessary contributions All must agree that taxes should be imposed with a fair and full reference to the advantage derived from the existence of good government by those who pay them Those advantages may in general terms be justly described as resulting from ample security in the enjoyment of our personal rights and rights of property with adequate safeguards against internal commotion and foreign aggression In respect to the immunities of the person and civil and religious freedom the interest as well as the immediate advantages of all are equal Not so with the other privileges secured to us by our free government The unavoidable disparity in the pecuniary condition of our citizens makes the degree of benefit they respectively derive from the maintenance of an efficient government over property and the rights of property essentially different The modes of raising revenue allowed to and adopted by the State governments are generally graduated by this disparity If the results are not always equitable the fault it is believed will in most cases be found in their action upon the principle rather than in the principle itself The right to raise revenue for its support by the imposition of duties in lieu of direct taxation is by the Constitution subjected to the exclusive control of the Federal Government This right subject to the limitations imposed by the grant was given to it for that purpose and has been freely exerted by it since its establishment It would afford me much pleasure to be able to say that the exercise of this power has borne as equally upon all classes of the people however unequal their pecuniary conditions as the taxes imposed by the State governments But this cannot with truth be said Nor is the inequality unavoidably resulting from the Federal mode of collecting taxes a new discovery It was foreseen and objected to when the power was conferred as an evil inherent in the system which could not fail to show itself in its operation and the injustice of which no form of legislation however it might be made to mitigate could ever be able to remove The advocates of the system were notwithstanding reconciled to it by a belief no doubt sincerely entertained that the inequalities which it was feared would result from the collection of duties upon imported articles would be prevented by the

fact that the consumption would be in proportion to the means of the consumer It was upon this ground that the principle was defeated That this expectation has not been realized is undeniably true There are but few if any who cannot, in their immediate vicinity point out numerous instances in which poor men with large families are actually obliged to pay more for the support of the Federal Government than others who are in affluent circumstances but are either without or have smaller families, and few if any countervailing examples are to be found At the same time the great body of wealth invested in incorporated or associated companies and in bonds and notes entirely escape Federal taxation The mass of the people seem, nevertheless, to prefer this mode of collecting the revenue Paying their taxes in the form of an increased price upon the commodities they buy, their contribution loses in their estimation much of the odium that would be attached to it if severed from the price of the article and converted into a tax by name as it is in fact It also wears the appearance of a voluntary contribution, although its payment is for the most part as unavoidable as a compulsory imposition would be It is supported too by the odium which was attached to the imposition of direct taxes many years since for purposes which were not approved by the people and by the fact that in most of the States the taxes are direct rendering it for that reason desirable to substitute some other mode of raising revenue for the Federal Government These and other considerations have given to the impost a preference in the public mind which would render the imposition of direct taxes in time of peace exceedingly odious and have produced as great a degree of unanimity in favor of a tariff for revenue as can ever be expected upon a public question Of the great mass of opponents to a protective tariff there is not so far as I know a single State or even district that has taken ground against a revenue tariff

### [THE VETO POWER]

I am satisfied with the veto power as it exists by the Constitution and opposed to any modification which shall materially change the principle upon which it rests

[PATRONAGE AND THE SPOILS SYSTEM]

The control of the President over the dispensation of Federal patronage presents a subject far more deserving of the watchful vigilance of the people Charged by the Constitution with the execution of the laws it was altogether proper to confer upon him an important share in the selection of the agents through whose instrumentality that great duty is to be performed The power which he possesses in this respect is also wisely restricted by the checks upon it which are placed in other branches of the government viz in the Senate by an absolute veto upon the most important of his selections and in each branch of the legislature by an equally absolute negative upon the appropriations necessary to their compensation It is nevertheless true that this control over the distribution of public patronage is in its tendency adverse to a pure administration of the important trusts which the people have committed to their agents Experience has shown that there is a temptation in the possession of this power to its abuse which cannot be effectually guarded against by human laws and against the influence of which even honest and patriotic men not unfrequently find it difficult to guard themselves With all the restraints imposed upon its exercise it may still be wielded by the Executive to influence widely the action of his associates in the public service to secure and perpetuate his own authority for the aggrandizement of his personal adherents and to depress those who though they may possess the strongest claims upon the public confidence have not the good fortune to stand in that relation to the appointing power It would be honorable to human nature if we could flatter ourselves with the belief that such have not been or the hope that such will not in future be the results of its exercise But experience unfortunately teaches us a different lesson and from the fallible nature of man we are scarcely allowed to hope that it will ever be otherwise To encourage an honest observance of sound political principles by the dispensation of patronage is, I fear an advantage seldom if ever realized under any government Its tendencies there is too much reason to apprehend have been in general far otherwise For this evil and a grave one it is there is but one effectual remedy When we cannot dispense with the offices we must distribute as widely as possible the power of appointing them To make this remedy more effectual it is always wise to reserve the selections of public officers

as far as is practicable and convenient to the people themselves. It is not an easy matter to keep individual action in public affairs wholly free from the influence in some form of personal interests. That of the mass of the people is, on the contrary, almost invariably disinterested and seldom if ever fails to come right in the end. As much power over appointments as is deemed really necessary to enable the Executive to perform his responsible duties should be left to him. Of all beyond that and which can be as well exercised by the people themselves or otherwise he should by constitutional means be divested. The possession of the excess is decidedly adverse to the healthful action of the department. No rightminded man occupying the Presidential chair after he has had an opportunity to judge by experience of its effects will desire to possess it. From this prolific source proceed most of the temptations which draw the ambitious politician from his duty to his constituents. While the veto is generally applied to questions exclusively of public concern and is exercised under a personal responsibility which will not be incurred except with great reluctance and in cases in which there is a strong reliance upon the public judgment for support, this power is peculiarly adapted to the sinister purpose of ambitious and selfish aspirants. It is therefore by diminishing this executive power and not that of the veto, which is least liable to abuse and has been thus far uniformly exercised for the public advantage, that our statesmen can render the most essential and, I doubt not, the most acceptable service to the cause of the people. To accomplish this great and salutary object presents a proper field for the patriotic exertions of all who think it wise, as I do, to keep a jealous eye upon executive authority and particularly upon its administration of the public patronage. Placed at the head of the committee upon appointments in the convention for the amendment of the constitution of my own State, I took an active, and I hope not an ineffectual, part to carry out this principle as far as with the lights which experience had then afforded I thought we could safely go. As those lights multiplied I united in giving it a still wider range, and I am well satisfied that a periodical review of the subject by the legislature and people with views to its still greater extension would be eminently useful as well in the administration of the Federal as of the State Governments.

[A NATIONAL NOMINATING CONVENTION]

To your last interrogatory I unhesitatingly answer Yes. The democracy of the Union will not fail as I am sure they ought not to adopt every proper precaution to secure through the instrumentality of the convention they propose to hold an honest and full expression of the wishes and opinions of a majority of their political associates Bearing in mind the disreputable scenes of 1840 conscious of the effects which those scenes necessarily had in shaking the confidence of mankind in the fitness of the American people for free institutions and actuated by a patriotic zeal to wipe off now and forever every injurious impression which was thus made upon the character of either they will not I am certain permit their noble efforts in so good a cause to be stained by a single act of indirection or unfairness So believing I hold it to be impossible that a selection can proceed from such a source which I could not cheerfully support or a nominee be selected in whose hands the interests of the country would not be entirely safe

My name and pretensions however subordinate in importance shall never be at the disposal of any persons whatever for the purpose of creating distraction or division in the Democratic Party Every attempt to use them for such a purpose whenever and wherever made shall be arrested by an interference on my part alike prompt and decisive I regard the Presidency as the highest and most honorable of political distinctions yet it is only as the undoubted and free-will offering of the democracy of the Nation that I could accept it because it is in that aspect only that I could hope to render the discharge of its high duties either useful to the country or honorable to myself

## 8

# BENJAMIN F HALLETT

## THE SOVEREIGNTY OF THE PEOPLE[1]

THE FIRST of these causes comes before this Court by writ of error to the Circuit Court of the United States for the District of Rhode Island, upon a judgment pro forma against the plaintiff in error

The second is sent up from the same Court upon a certificate of division of opinion between the two Judges

Both causes involve similar questions and principles and therefore may with great propriety be argued together the distinction between them being that in the first the distinct issue raised is the validity of the People s Constitution which the plaintiff claims was in force in Rhode Island and in the second the question is definitely raised as to the force and validity of Martial Law under which the defendants justify their acts of trespass

If the new constitution and laws under it were in force in Rhode Island, and the old Charter Government rightfully superseded thereby then the justification of the defendants fails in both cases If on the other hand that constitution was not in force but the Charter Legislature was in fact the law making power yet if they had not the power to declare Martial Law in the manner they did or if the act itself and the proceedings under it were illegal or defective or if the defendants have failed to show their authority as subordinates then also the defense in both cases but especially in the latter fails

The first is an action for trespass to the property of the plaintiff Martin Luther, the second is an action for trespass to the person of the plaintiff, Rachael Luther

The facts which appear upon the record and are to be taken as fully proved are these —

In June, 1842 Martin Luther was living in the town of Warren in

[1] [From *The Right of the People to Establish Forms of Government Mr Hallett's Argument before the Supreme Court of the United States January 1848* (Boston 1848) — Abridged ]

the State of Rhode Island in his own house (which was also occupied by his mother Rachael Luther) and had lived there for nearly forty years On the 29th of June in the night time the defendants Luther M Borden Stephen Johnson William L Brown John H Munroe William B Snell James Gardner and John Kelly are charged with breaking into the plaintiff s dwelling house they being armed with muskets and other dangerous weapons and in a menacing manner breaking and tearing down the doors glasses windows and furniture and otherwise defacing and injuring the house

They are also charged in the second suit with a personal trespass upon the plaintiff Mrs Luther an elderly lady of some eighty years of age by forcibly in the night time breaking into her chamber in which she was sleeping with her maid servant driving them from their beds in their night clothes and with bayonets pointed to the breast and body of the plaintiff and her servant menacing and threatening to stab and kill them if they did not disclose where Martin Luther was and detaining them in their night dress and not permitting them to dress for more than an hour to their great terror and alarm

These trespasses are obviously of a highly aggravated character a midnight invasion of the rights of domicile and an outrage upon personal security under circumstances that would call for the highest exemplary damages The parties in both suits by these violent proceedings of armed men against them were compelled to leave the State in which they could find no protection from law and became citizens of the State of Massachusetts It was vain for them to have sought redress in the State Courts of Rhode Island Hence this was precisely the case for a resort to the Courts of the United States contemplated by the framers of the Constitution in order to lift the questions that might arise between citizens of different States above the partial influences of the local tribunals

They[1] became citizens of Massachusetts and as such commenced suits against the defendants in the Circuit Court for the District of Rhode Island

Thus was the history of persecution between Massachusetts and Rhode Island reversed Two hundred years before Roger Williams had fled from Massachusetts to find protection against the persecution

[1] [That is Martin and Rachael Luther]

of *Church* Law, and now Rhode Island drove her citizens back to Massachusetts to seek redress for outrages committed under the guise of *Martial* Law

In the Circuit Court below, the defendants set up *a plea in justification* They admitted that they had committed the trespasses complained of doing no more damage than they affirm was necessary but they say they were justified in law because they were enrolled in a company of infantry, in the town of Warren under the command of John T Child duly appointed and legally qualified to act in that capacity, and that by order of said military commander they broke and entered the said dwelling house of the plaintiff in error in order to arrest and take the said plaintiff, which they aver it was lawful for them to do

And further the defendants say that at the time of the alleged trespass large numbers of men assembled in arms in different parts of said State made and levied war upon said State and were attempting the overthrow of the government of said State by military force That the Legislature of said State duly and legally chosen and constituted according to the provisions of the charter or fundamental law and the ancient and long established usages of said State and in the exercise of the legislative powers conferred on them by said charter and usages, did enact and establish Martial Law over said State, and that under such authority and by order of a military commander duly appointed by such authority the defendants committed the alleged trespass

To the several pleas of the defendants the plaintiff replied *de sua injuria*, thus denying the truth of the defendants plea which issue was joined, and upon this issue came up the question of the validity of the Charter Government and the acts thereof under which the defendants justified, and of the new constitution and frame of government adopted by the people of Rhode Island called the People's Constitution and the acts and doings of the Legislature under the same

Thus far the pleadings in both cases are alike but at this point with the permission of the Court I shall leave for future consideration the subject of Martial Law and proceed to the argument upon the record in the case of Martin Luther

In reply to the justification which the defendants set up under the

authority of the Charter Governor and Legislature the plaintiff contended that the old charter form of government and the acts of the Legislature under which the defendants justified were at the time of such trespass superseded and abolished by a new form of government and invalid so far as repugnant to the same which new form of government was then in force as the fundamental law of the State and that the Legislature chosen by the people and acting under the said new form of government and the military and other officers appointed by law under such legislative power constituted the actual government of said State and that acts done under any assumed authority in opposition to said constitution and laws so established were unlawful and void

The question therefore w s directly between two forms of government *both claiming to be in force* at the same time and *upon the* construction of law as to which of these forms of government was in legal existence at the time depended the issue whether the defendants had acted under law or against all law

Both parties agreed that up to May 1842 the old Charter Government of Rhode Island was rightfully in existence But the plaintiff maintained that it was then superseded by the new government then o ganized under the People s Constitution which had been adopted Jan 12 1842 to take full effect in the following May

It followed that if the Charter Government then ceased *neither the* Martial Law under which the defendants justify the attempt to break into his house and seize Mr Luther nor the military commission and the military orders of their commander were of any avail

Plainly then the rights of the parties in this cause can only be decided by deciding that issue *distinctly* and *directly* and in the judgment of the plaintiffs counsel and I may add of the learned Judge since deceased who framed the instructions upon the record that issue was intended to be brought and is brought before this Court in such form that it must be met and must be passed upon in the indispensable exercise of the ordinary judicial functions of this high tribunal

I do not say this may it please your Honors as if there were or could be any doubt that this is the issue here or that this elevated tribunal will meet it as decidedly and calmly as if it involved the simple question of title to a piece of land instead of the people s title to their great right of self-government

Upon this statement of the issue, therefore, we contend that it will become indispensable (as it seems to us) for this Court in order to determine this case, to decide incidentally to the merits, whether the People s Constitution was in force in Rhode Island as the fundamental law of the State and hence the importance of this cause, as presenting in fact, a judicial test before the highest tribunal in the land whether the theory of American free government for the States of this Union is available to the people in practice, in short whether the basis of popular sovereignty is a living principle or a theory always restrained in practice by the will of the law making power and therefore subject and not sovereign

In this view of the aspect of this cause it becomes necessary to go back to fundamental principles to determine which was the existing form of government which was the Legislature and what were the laws in force at the time of the trespass This is apparent from the fact that by the pleadings the defendants admit they have committed a trespass, but justify their acts under the authority derived from the Charter Assembly and the commissions and orders of military commanders deriving their sole power from that source

[CAN THE PEOPLE CHANGE THEIR GOVERNMENT?]

I then submit the preliminary proposition that upon the pleadings and the record of this case the Court cannot determine the issue whether a trespass was or was not committed without first deciding what were the constitution and frame of government in force in Rhode Island at the time

And with this view and under the permission of the Court I shall proceed to open this cause upon the broad basis of this argument in its full force and extent covering the whole ground of *rightful changes of government by the people of the States of this Union*

These preliminary suggestions embrace within the issue three general propositions

1 That the assumed authority legislative and military and the acts and orders under which defendants justify are invalid and insufficient

2 That the issue was properly before the Court below and it is necessary for this Court to pass upon it in order to determine the rights of the parties on the record in this cause

3 That it is a judicial power and not a political power which the Court is called upon to exercise in applying the rule of decision that is to govern this case

The burden of proof is on the defendants to show their justification but the plaintiff doubtless must show, at least so far as to set aside the authority of the defendant s plea that the new government had superseded the old form.

I propose therefore to maintain in the argument the following points which were ruled against the plaintiff merely formally in the Court below

1 That the People s Constitution was in force in Rhode Island in June 1842

2 That the Legislature chosen under it was the law making power

3 That consequently the pre-existing Charter Government was superseded and

4 That the plaintiff need show such change of government only so far as the justification the defendants set up under the first is concerned

In order to sustain these propositions we must first establish the great basis upon which alone they can rest in the American system of government viz

1 That the majority of the people or of the legal voters of a State have a right to establish a written constitution

2 That this is pre-eminently their right in the absence of any provision in the existing frame of government for its amendment

3 That this right is independent of the will or sanction of the Legislature and can be exercised by the right of eminent sovereignty in the people without the form of a precedent statute law

*Having traced the History of Government in Rhode Island and the proceedings in framing adopting and establishing the People s Constitution in 1841-4. what are the inferences to be drawn applicable to the issue between the parties in this cause as to the respective rights they claim and the respective authorities under which they assume to have acted?*

First I will consider it with reference to the local history and institutions of Rhode Island herself and then upon the broad basis of American sovereignty

We have seen that the old charter of Rhode Island, in 1663 was entirely free and democratic The community consisted of landed proprietors, and it was, in effect, a landed company in which all were partners and participants As society progressed and the number of inhabitants increased who did not own land, in the changes and progress of business the inequality became more apparent

The people then looked back to the old guarantees of liberty Efforts at reform began and were continued without success The minority holding the Legislature in their control, denied all extension of suffrage and without it the majority could not act within the form of law Their only resource was to go out of it The reluctance to take such a step or to change existing institutions was one cause of the continuance of the old form We have seen that during the Revolution a committee on suffrage and reform was appointed which shows the first impulse of public opinion, on the adoption of the Declaration of Independence, but the state of the times prevented action The patriotism of the people submitted to unequal government rather than to disturb it at the risk of weakening the aid necessary to carry on the war of independence

After the Revolution Rhode Island was involved in debt and difficulties and became embarrassed in her wretched paper money system For a long time her Legislature representing the landholding minority held her back from the Union and refused to adopt the United States Constitution

In this state of things and having a charter tolerably free, she did not adopt a written constitution as did all the other States except Connecticut for a like cause The majority did not break out but for the time acquiesced But there were no principles or practice of government in Rhode Island which denied the right of the people with or without the consent of the existing government to make a constitution when and how they pleased

On the contrary Rhode Island which had been foremost in religious freedom had by her great founder Roger Williams equally pledged herself to civil liberty

We have seen how the Rhode Island Assembly departed from the doctrines of religious freedom in 1663 They have still more flagrantly repudiated the principles of their illustrious founder touching civil

liberty It is therefore no proof of a prescriptive right in her Assembly in 1842 to deny self government to the people because that Assembly had always refused to extend suffrage or permit the majority to participate in government by framing a written constitution

The conclusion is that both precedent and principle fairly construed up to the Revolution affirm or at least favor the right of the *people* of Rhode Island (not merely the landholders) to alter and establish government At the Revolution this principle was authoritatively recognized. The Convention that adopted the United States Constitution in 1790 went further and all power was resolved into the hands of the people

*What then became of the Charter Government and what powers can a legislature under it have to control the organic law for a longer time than the people consenting and agreeing shall betrust them with*

What was there of *paramount* organic law in Rhode Island? Not the charter It had no element of change or modification The laws under it passed by the Assembly were repealable at pleasure The Legislature had no power either from the charter or the people or inherent to change the organic law or to make one If the *people* could not act the Legislature could not the voters could not who could? Hence —

*The American doctrine of a paramount written constitution binding the legislature and subject only to the people was lost in Rhode Island if it did not exist in the whole people*

Admitting the right of the people to make a constitution and over throw the British colonial government to have been acquired or confirmed by the Revolution how did they lose it? When regrant it? If never how can this right be denied to the people of Rhode Island in setting aside their Charter Government and adopting a written constitution to control their legislature and officers? Then if the right existed how was it to be exercised? The subsisting government had no power or right to make a constitution All their declarations of rights in the Digests of Laws were only repealable legislative acts without guarantee

Our opponents doubtless will concede a *right* of revolution but say we must take it by *physical force!* The value of that sort of right to a State of this Union I will consider presently but the right of revolu

tion being admitted, does it follow that it must be by force? If the people have a right, they must also have a right to exercise it peaceably If they do so without attacking the existing government and peaceably set up a government of organic law, defined in a written constitution, and if after this is done the old government which is virtually superseded attacks the new, then to defend the latter is not revolution but *law and order* and the old disbanded government is the aggressor

*This is the distinction between rebellion and the change of organic laws by adopting a written constitution where none exists*

Shays Rebellion the Whisky Insurrection and the Anti Rent Riots in New York illustrate this and this was the relation of government and people before the Revolution Under the colonial government the people, if they adhered to it had no legal right to change it The sovereignty of the King and Parliament precluded any such right Revolution therefore and if revolution was resisted war upon the existing government were at that period the only resource — there was no lawful mode of changing a form of government If the Charter Government of Rhode Island had sided with Great Britain, the people would have put them down By siding with the people the Charter Government gave no legitimate sanction to the Revolution It was the same rebellion under the existing form of government It had no foundation of right except in the right of the majority to change government

[The Right of Peaceable Revolution]

*But we claim a new principle in government The right peaceably to change government* The limit is that it shall be done by a majority Not by first attacking the existing government or overturning the laws and then making a constitution as in the revolution of 76 but by *first adopting peaceably a new organic law establishing the* fundamental principles on which the government shall be conducted the officers chosen and the laws enacted In order to do this the concurrence of the old government is convenient and desirable but not indispensable

*The right to begin this work rests in the right of the people to assemble* Who has the right to interfere with them? Up to the point of adoption of the People s Constitution in Rhode Island where was the right to

interfere with them or put them down by force? No matter how the constitution was begun or put together It was peacefully made peacefully put to the people and peacefully adopted by the majority It then became the organic law It went into effect by its own force and organization and legislation took effect under it It has all the efficacy of a government *de jure* and *de facto* At this point the men of the old government attacked the new and attempted to suppress it by military force

Not an act was done by the people but in pursuance of the new organic law If the majority had a right to make a constitution then it was made and became the supreme law Therefore to deny that the People s Constitution was the supreme law when they assembled under it and chose officers and their Legislature met to carry it out all of which was done without revolution or violence or attack is to deny the right of the people under any circumstances to *frame government except by the consent of their rulers* and to this point our oppo ents must come or yield the whole argument

This would make the Revolution of 76 the shame instead of the glory of the nation In some of the old thirteen colonies new forms of government were adopted against the consent of a portion of the legislative and all of the executive power In Virginia for instance When attacked by the old government ought they to have yielded to it? Why then should the people yield in Rhode Island after they had peacefully adopted their constitution chosen officers under it and put the new frame of government in full operation? What had the majority done that constituted rebellion insurrection treason or domestic violence?

*They stood on better grounds as to* RIGHT *than even the grounds of the Revolution* They had the great civil right recognized as the corner s one of American institutions — the peaceful right which the Revolu tion had established to frame government and when duly adopted then all the rights civil and military attached to sustain it

There were no votes taken by the masses or in conventions in the Revolution of 76 to change the government It was a resort to natural right to be enforced if resisted by war and in no other form The first step to dissolve government or to deny the supremacy of the Crown was rebellion and treason under all the then recognized legitimate doctrines of government The colonial governments existed

only by the sovereign grace and mere motion of the King They had no inherent principle of reform or change

The Revolution being successful established this new fundamental principle of government and in Rhode Island it was distinctly recognized — ' that the powers of government may be reassumed by the people whensoever it shall become necessary to their happiness.

This the people did and no more They made no attack on existing institutions They changed no organic relations of the people to the government They violated no allegiance they dissolved no community they changed no relation of the State to the Union The identity and integrity of the State remained the same It was no more a change of identity of relations of people and rulers, of the government and the governed or of the federal relations to the Union, than a change in the codes of legislation

*The fundamental law was changed by peaceful, popular process* If the right to do so was with the people, the form was legal and even legitimate for it was sanctioned by the fundamental rule of government lying at the foundation of all government If they had this right they exercised it as peacefully and legally as the legislature *could exercise their right in revising the code of State laws*

*The theory of the opposite side assumes that the people of the States of this Union have acquired no rights in regard to government by the Revolution that the people under old governments did not possess* That is physical right natural right The *right* of *might* which is no right but mere physical power to do wrong or right *But there was no such thing as a peaceful change of government under old systems and consequently no change of government without the consent of government* On the other hand —

*American institutions recognize three great principles*

1 The elective power to change rulers

2 The representative power substituting agency from the people for irresponsibility to the people

3 And behind all this the power and right of the majority of the community *to change at pleasure the organic law of the State and* prescribe forms of constitution as the supreme law

This makes the distinction in principle and fact the distinction between attacking an existing government with lawless violence and the peaceful organization of a new frame of the same government and

then after it is so established sustaining it under the forms of law This is the Rhode Island case and this is shown by the history of the proceedings up to the first attempts of the Chartists to resist the operations of the People s Constitution

If the principles on which the adoption of the People s Constitution are placed in the foregoing argument are sound then the facts in the record being to be taken as proved the conclusion follows that the acts done according to the law under the new constitution were valid and all other acts contrary thereto were invalid

*What title to perpetual government can the charter party set up?* Was it the right of possession? Was it prescription? The defendants say that the charter and form of government under it continued to be the fundamental law until the adoption of the present constitution in 1843 We contend that the People s Constitution and acts under it intervened from May 1842 until the adoption of the present constitution of 1843 All the pleadings and offers of evidence on both sides resolve themselves into this single issue of previous consent of the Legislature as the indispensable antecedent of a constitution! The old Assembly made this the whole issue They said to the people of Rhode Island you have assumed to make and establish a constitution without our consent and therefore it is void

Whether it was a constitution of *right* depends solely upon the *first step* in making it viz whether the action of the legislature and that merely a *request* was indispensable

*It all comes back to this* Is a constitution void and inoperative unless the legislature *request* the people to make it?

Must the legislature alone *permit* and cannot the people go behind such permission? Can the legislature refuse to act for half a century and then *punish* the people for acting?

If of right without such beginning it takes effect *proprio vigore* The obstinacy of the General Assembly caused the whole difficulty If they had done in 1841 what they did in June 1842 all dissension would have ceased The result shows that they were only contending for dogmatism for they have done in the last constitution just what they charg us with rebellion and treason for doing The surrender of land suffrage as the only means of saving the collision that would have shattered the old dynasty shows the necessity of the change

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short of *rebellion* against the governments of their own creation! That is the question we are to try whether this virtue of sovereignty has gone out of the people by some sort of prescription grant acquiescence or submission and become vested in the government so that the people can never have the free use of it again without some process of license or re grant from the legislature

We are not discussing revolutions by mere physical force but a fundamental principle of right and to test this we must first see what the right is and then whether it is a mere abstraction or active and operative When they talk of sovereignty what is the sovereignty they mean? That which we rest our argument upon is the sovereignty defined by the enlightened advocates of liberty in the old world and its founders and expounders in the new Here I leave all peculation and abide by the highest sanction of precedents If dry in detail it is vital in principle Then *what is the Sovereignty of the People as defined by the American principles of Government?*

The theory of the oth r side and the only theory they can stand on to invalidate a constitution framed by a clear majority through the peaceful forms of conventions is that the people are sovereign not in themselves but through the forms of law emanating from the legislature In short that the sovereignty has no power to make *fundamental* law except through the permissive agency of *statute* law We maintain that there is not a precedent from the time of Algernon Sydney to the time of Thomas W Dorr that gives a colorable sanction to such a theory of American liberties

I will close these judicial references by an authority that will surely be respected here and which with what has preceded it must be conclusive viz Chief Justice Marshall in 1803 speaking for the whole Court in the case of Marbury vs Madison (1 Cranch 176 cited 3 Story s Commen 431)

The question whether an act repugnant to the constitution can become the law of the land is a question deeply interesting to the United States but happily not of an intricacy proportioned to its interest It seems only necessary to recognize certain principles supposed to have been long well established to decide it

That the people have an original right to establish for their future government uch principles as in their opinion shall most conduce

demanded by the people, and the whole point of law and order is that the Assembly would not do, in answer to the wishes of the people, what they afterward did do, and thereby admit they ought to have done at first.

The judges of the Rhode Island Court, after sentencing Governor Dorr for sustaining the People's Constitution, should have changed places and sentenced themselves for making a like constitution, which was equal treason to the old charter.

And yet they exhibited the singular spectacle of judges sitting under a new constitution, which by the charter the old assembly had no right to make, and trying a distinguished citizen for treason to a departed government which they themselves had helped to exterminate!

And the whole pith and point of this modern treason was that the Assembly *requested* the landholders to put down the old government, but refused to request the people to do it!

We are now prepared, in the argument, to apply the foregoing facts in the Rhode Island case to the broad and general proposition which embraces all free American States, *of the Right of the People to Change Government, and to judge of the Occasion*.

Did this right vest in the people of the colonies by the operation of the Declaration of Independence? This has already been demonstrated, and will hardly be denied from any quarter.

Then, have American institutions in the States or in the Union changed, modified, limited, or restricted this right, as it originally was declared to exist, inherent and unalienable, in the people? In short, is the sovereignty in the people, and how may they exercise it?

It may safely be assumed that no man or set of men in a government where suffrage is in the hands of the masses, will venture to deny, in so many words, that the people are sovereign. Doubtless this will be conceded gracefully, if not graciously, by the distinguished counsel on the other side. But how conceded is the question. I am cheered from the tenor of the defendants' abstract of points, that while this same sovereignty may seem to be yielded to the people in terms, it will be qualified away, and in effect denied and abrogated in detail and in all efficient operation. By their limitations and constructions the people will turn out to be very great sovereigns, with very great powers, but without any power or right to exercise that sovereign power

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and appreciated it has been thus broadly spread out upon the argu ment Well then if we have this sovereignty how and when and by what process may it act? Does it really exist in practice or only in abstraction? And this brings us to the practical operation of this sovereignty in framing constitutions of government

[THE METHOD OF CONSTITUTIONAL CHANGE]

*Then, if the People have the right how may they exercise it? Who shall begin the People or the Government Conventions or Legislatures?* We say the former The proposition on the other side is you must have a statute law to call your convention and count your votes and say who shall vote and how or you cannot take a step to make or alter the frame of government

It is not so unless this boasted sovereignty is but a mockery a delusion and a snare Will this Court say to the people of each State in this Union that rue it is they are the source of all political power but if they presume to exercise their sovereignty in establishing or changing constitutions of government without consent of the legislature they shall be followed with pains and penalties enforced by the lawless despotism of Martial Law and backed by the whole mili tary power of the United States called out by the President to suppress insurrection and domestic violence! Whenever this tribunal shall proclaim this to be the law it will have decreed that in contemplation of law the people here as in Great Britain do not exist Such is not the law of this land here nor elsewh re On the contrary all Ameri can precedents and practice of government demonstrate that the assumption that the first step in reforms and changes of government must emanate from the established government and not from the people is the dogma of *despotism!*

To this point all the foregoing authorities directly tend It is the incident that follows the principle for it were as absurd to concede entire freedom to the individual and deny his right to move a hand without the leave of *a master* as to affirm a sovereignty of the people incapable of taking the first step to make or remodel their frame of government. This is our main point of difference

We shall agree on the right to abolish but divide on the *mode* They make the mode an inseparable barrier to the exercise of the right the form superior to the substance — dependent on another tribunal than the people and one of their own creation!

to their own happiness, is the basis on *which the whole American fabric has been erected* The exercise of this original right *is a very great exertion,* nor can it, nor ought it to be very frequently repeated The principles, therefore, so established are deemed fundamental And as the *authority* from which they proceed is *supreme* and can seldom act they are designed to be *permanent*"

In McCulloch vs State of Maryland in 1819, 4th Wheaton 404 the same high authority treats this as not an open question before the Court

It has been said, that the people have already surrendered all their powers to the State sovereignties and had nothing more to give *But surely the question whether they may resume and modify the powers granted to government, does not remain to be settled in this country*

And yet, may it please your Honors Governor Dorr and his friends have been charged with treason for acting upon this solemn dictum of the whole Supreme Court as if it were true! Now take this emphatic expression of the opinion of the Supreme Court, through Chief Justice Marshall and test it by the Rhode Island Bill of Rights adopted by her *Convention* in 1790 viz, that the powers of government may be *reassumed* by the people, and we have the entire doctrine contended for by the plaintiff here judicially established by the Supreme Court of the United States as unquestionable and almost in the very words of that Bill of Rights viz the people may resume the powers granted to government

'Granted TO government is the phrase, not granted *by* government Not granted subject to the condition that the power shall be resumed only by the consent and in the form of statute law prescribed by the grantee the legislature! This does not remain to be settled in this country! and if so, how then stand these defendants here on their plea of justification by a denial of the sovereignty of the people?

May it please your Honors with this array of authorities and unbroken precedents against them the counsel for the defendants whatever may have been their original purpose will be constrained to say that they concede the sovereignty to the people What else have they to say? But I could not trust to that concession as they may be pleased to call it followed as it must be unless they surrender the whole cause with restrictions and limitations, and therefore the sovereignty which we mean as defined by those who best understood

legislature but behind all this is the sovereignty acting by and through majorities and if they ever had a right to act through conventions to establish a frame of government they have nowhere granted or ceded it away True the State constitutions require more than a majority of the legislature to propose amendments but this only limits the legislature and does not touch the majority principle in the people

Now let us go back to the first step in free government and having the source of power in the people trace its practical operation in making constitutions

The position may seem plausible and eminently conservative that it will not do to trust the mass of community with the power to assemble together and ascertain the will of the majority in any other form except by a statute prescribing who shall vote and when and where and how? But this is not an American principle

The serious objection to this position is that it resolves sovereignty into the government and takes it *from* the people This is plain because he who *alone* can take the first step is the sovereign At his will all progress stands still

Another objection is that this theory founds sovereignty in *suffrage* and not in the *people* The argument resolves itself into the proposition that suffrage limits sovereignty and when suffrage is once prescribed whether to a minority or a majority of community these are the eternal limits of sovereignty Everything outside of suffrage is excluded from participation in sovereignty and of consequence in government

In other words the legal voters once established few or many are through their representation in the law making power, the sovereign and ultimate power in a State and they may forever exclude all others from government

But who made the legal voters? In a limited monarchy they are made by the grant of the King or act of Parliament both acting as the sovereign power in the State In governments of a more popular form they are made by the constitution or as in Rhode Island by the Legislature without a constitution

True then the legal voters are the ultimate power under the constitution but that is the act of the sovereignty the rule prescribed by it and not the sovereignty itself which is higher and beyond the organic form of its own creation

True it is said that the people, though sovereign may limit themselves as well as their governments by their constitutions Doubtless they do so through representation, as to the making and enforcing of statute law, which they leave to the subsisting organization And so they prescribe the modes of amending constitutions But who do they *limit* in this power of making and amending constitutions? The legislature and not *themselves!*

I pray this may be marked because the practical exercise of the sovereignty depends upon it Constitutions are made to control the legislature and to control majorities as to all exercise of rights under the constitution While it subsists all are governed by its limitations and so far the majority as well as the minority have limited themselves Now comes the question of change in the constitution Who are limited by it in making that change? The *legislature* They can move only by proposing amendments to be sent out to the people who are voters under the existing constitution or to call conventions if the constitution so provides They cannot move a step outside of the constitution But are the *people* who made this constitution limited in their power of amendment, because they have restricted the legislature? Will the learned counsel on the other side show a provision in the twenty nine constitutions of these States which says that We the people hereby agree never to amend this constitution or to make another in any other way except that which is prescribed herein through the legislature!

There is no such thing in existence nor anything like it All the power of amendment given in all the constitutions *limits* the legislatures *They* shall not touch the constitution except in the way the sovereign power permits them to act But behind this stands the sovereign who made and who has the like power to unmake The sovereign if he had power to make has not granted away that power The power given to the legislature is *permissive* and exhausts no part of the reserved powers of the grantor Even the present constitution of Rhode Island says that the General Assembly *may* propose amendments to be submitted to the electors and if *three fifths* of the electors approve such amendments shall become a part of the constitution

It follows then that the legislature cannot propose or adopt any amendment of the constitution in any other way but the people have not tied themselves down to a three fifth rule they have tied the

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anti American and is nothing but a dogma of despotism and I will now proceed to prove it

[CONSTITUTIONAL CHANGE IS THE AMERICAN WAY]

*The fundamental distinction between the American principle of* POPULAR *government and the European principle of* LEGITIMATE *government is thus*

1 In the former *the people are the ultimate source of power and can change government without a law permitting them to do so*

2 In the latter *the reigning dynasty or at best the parliament* is the sovereign power in the state and the people can make no change in government whatever they can *only* take what is granted and submit to what is decreed

The great distinction is the power of *originating and framing* as well as of accepting There can be no sovereignty no direction no control without the first A constitution in Russia depends upon the free will of the Emperor to grant it Now if in Rhode Island or any State of this Union the forming or changing of a constitution depends upon the *grant* of the legislature through a previous permissive law to hold a convention where is the difference between the legitimate king and the republican assembly? The people are equally tied down in both cases They cannot move without some body s con ent and if anybody then he who holds that power of consent in his hands is the sovereign.

The people of Rhode Island could no more change their King the Assembly than the Russians can theirs because the Assembly were landholders chosen by landholders and refusing suffrage to the great majority What matters it whether the Assembly makes or amends a constitution and asks the people to take it with the sole power to say yea or nay and nothing more or whether a king or a parliament grants the people a constitution and compels them to take it or nothing as is the European custom when the people demand their rights by a threat of revolution?

Let the people of this country whatever else they may yield *never yield by remotest implication the great right to originate frame remodel and amend government!*

The moment they descend to become mere acceptors or rejectors of amendments emanating from any other source they are *slaves of*

While that constitution subsists, or while the law making power which says who shall vote is supreme in power, the people consent to limit the exercise of government within these bounds and so far the right to elect and be elected to office is limited and prescribed for the time being But it is not perpetual, and if in the hands of a minority it is not past all remedy without the consent of that minority unless the majority resort to violence revolution and civil war

This is the theory of the old world, which American liberties have exploded The theory may stand very well when the whole people can act through organization But when the legal voters refuse to act through organization, or in its absence we must go outside of organization to look for the sovereignty or we have a *despotism* and whether it be a despotism of the divine right of kings which is their law or of a legislature restricting suffrage to a minority which is their law, it is the same in its effect upon all who are excluded thereby from participation in government And if these are a majority as in France in England, and in Rhode Island, then there can be a state wherein the sovereignty is rightfully held by a minority and the majority of the people are *not* sovereign!

And now may it please your Honors with the utmost deference permit me to ask, how could this Honorable Court — nay how can any *American* maintain in the face of these authorities and of the sovereignty of the people to which all at least *pretend* to bow that in contemplation of law and in the cognizance of this Court there can be no *legitimate* change in the constitutions and forms of government, unless the permission to make the change and the form in which the people shall proceed is *first* prescribed by an act of the subsisting legislature?

What a discouragement to the oppressed millions of the old world would it be for the model republic of America to send forth as her solemn judicial judgment a decree in this cause in favor of unchangeable despotism What a repudiation of the doctrines and the practice of our fathers and what a reproach upon their memories Whatever may be your decision, or no decision in this case no such result can be apprehended The theory that government cannot be rightfully changed except by force of the formal consent of the law making power, whether in a king or a legislature we maintain is wholly

*Such is not the American theory of government* On the contrary the preliminary forms in making a constitution are nothing to the substance They are but the scaffolding of the building which is of no further use after the edifice is completed and occupied

*It may be suggested that the People s Constitution is not proved* It is proved by the facts in the record But how prove a constitution? How does the present constitution of Rhode Island or of any State exist and how could it be proved? Would it depend upon no one objecting to the present constitution in Rhode Island? It received not 7000 votes much less than a majority of the whole legal voters under it The people s party might have objected or may now object The seal of the State might be abstracted This is no test of authenticity The people s officers had their seal The record shows no seal on either side In fact the only distinction between the present constitution and the People s as to authenticity for the time they were in force or to be in force is the act of the assembly calling the convention and that was a mere *request*

*Then we must fall back on the system of paramount right* Where is it? Where is *the power behind* all *beyond* all constitutions? What is outside of the frame of government?

Can a constitution be altered only by its own terms and in its own forms? Even if this were conceded it cannot apply to Rhode Island But if only this were true then we have made at least *one* step beyond the doctrines of the Laybach Circular We have made one step in getting constitutions that authorize change

The doctrine then would be All changes in government must emanate from those whom the *constitution* has intrusted with the power to recommend such change But if it also applies to the case of Rhode Island then we have not advanced a step beyond the divine right of kings — only to the divine right of the king s charter

They will contend that the American practice has been to make all changes through the organized government Such is not the fact It may be convenient desirable but it is not the ultimatum neither is it a rule It is at most a question of concurrence between the people and the government Where the voters are the great majority this might be in practical operation sufficient But suppose they do not concur? Suppose the government gets into the hand of a minority and won t yield? This provision for concurrence does not take away

*government* and no longer sovereign For this is the vital distinction between the American principle of free institutions and the European principle of *legitimate* government

How then can the validity of a constitution depend upon the fact whether the legislature did or did not act first by allowing the people to meet in convention? On the contrary, we maintain that *government is subjected to the sovereignty of the nation the people—and not the people or nation made subject to the Government*

Now we find the majority of the people of Rhode Island adopting a constitution Must it not be treated as an act of the sovereign power? They answer no, because the Assembly refused to request the convention to meet Then *the basis of the defendants' proposition is this*

1 That when any commonwealth or state exists under an organic law and has created a legislature no convention with a view to a change of the organic law by the whole people, can be rightfully held without the previous consent of the legislature however constituted and whether chosen by a minority or majority of the whole people

2 That if held without such previous consent, it is revolutionary and its acts, though ratified by the whole people invalid, unauthorized and insurrectionary

In short that the fundamental law depends upon the legislature and not upon the people *The inference from this theory is unavoidable viz*

1 That the legislature is sovereign and that however oppressed the majority may be under a system of minority suffrage, no change can take place unless the people conquer it in battle by force or unless the legislature grants them leave to assemble in convention to make a constitution[1]

2 That if the majority of the people (or if all except a quorum of the legislature and the executive) should attempt by force to put down the government or to change it at all without legislative consent this constitutes a case of domestic violence which the whole naval and military forces of the Union may be called out to suppress[1]

3 That there are no inherent liberties in the people and the entire substance must yield to the mere shadow of form

could conclude no right of the majority With this qualification the States being independent by the Revolution each might establish the limitations and exceptions it chose to as to the rule which they all laid down that the sovereignty resided in the people When they formed the Union and conceded some of the attributes of sovereignty they yielded nothing on this point except that the United States were to guarantee to each State a republican form of government The power to frame their own government, subject only to this limitation was unrestricted Each State might adopt its own construction as to the organic law and the rights of voting It left each State as an independent community and the question who were the people in that community was to be determined by the community but subject always to the right of the majority to change the organic law And however this maxim was restricted in practice its force was not destroyed whenever the rightful majority chose to act

*Now from what source does the rightful majority spring? Who are the people?* To answer this what was the doctrine promulgated by the American Revolution? There can be but one reply That the sovereignty in all the free States was placed in the whole body of the adult male population with exceptions and in the other States in the whole body of the free white adult males There is no case of exclusion of citizens who demanded a voice The exceptions to the rule in all these States were *those persons not competent to form a contract* In one class of States this excluded children under twenty-one years idiots and insane strangers and women In another class of States slaves are to be added The reasons of these exclusions it is unnecessary to discuss because all our governments were formed without any innovation on this common consent of mankind in all governments *But if a doubt were raised here it is no argument in favor of limiting the sovereignty to a less number* than all the adult males If that argument is good it is the strongest against their theory So slaves are excluded for the same reason that minors and incompetent persons are because by the laws of the community in which they are found they are incapable of making contracts *They* are not citizens and by no qualifications placed within their reach can become such

The case as applied to Rhode Island or any State where the minority held the right of suffrage and the political power would be parallel only in case the *non* voters were not only excluded for want of qualification *but could never become qualified!*

the reserved right of the people to act *They* give all the validity and not the act calling the convention The form prescribed is mere direction to the agents, not a bar to the people If the necessity arises the people may act It did arise in Rhode Island and the people acted The preliminary call had it emanated from the Assembly, could give no validity or precedent authority until the people voted on it and confirmed it The confirmation made it the act of the people But it would have been just as much their act had they originated the call without the unauthorized *request* of the Assembly

Where then was the sovereignty to institute the preliminary steps in Rhode Island? The Legislature had no power They could give no power to the people They had no priority of recommendation They in fact only *requested* Hence *the absurdity of defendants hypothesis is manifest* They say that the people had no power to move as a body We show that the Legislature had no power That the landholders the legal voters were the creatures of the Legislature and they had no power as such to give to the Legislature Hence it follows that if neither the people nor the legal voters had power to move only by consent of the Legislature and the Legislature had no power to grant then the power was lost or must be exercised merely as recommendatory and not as binding and this involves the absurdity of reasoning in a circle

The whole force of the argument that a previous act of the assembly is indispensable is to affirm in the name of the Legislature as did the Holy Allies in their own you shall not have a constitution unless it emanates from our sovereign will and pleasure

## [The Whole People Sovereign]

If the foregoing positions are well founded they prove that the *people* in their aggregate capacity as a political community are sovereign as to government and have a right to exercise that sovereignty and to judge of the occasion

*But who constitute the people who hold this sovereignty?* Is it the legal voters the whole body of adult males or all the human beings in a State? Standing by itself each community being independent may establish its own rules as to qualifications of voters The question so circumscribed would be one of convenience and acquiescence It

right or rather power (for if its quality depends upon *success* or *defeat* it is no right ) existed as it now does in Russia or France but *what is the right of Revolution as applied to a State of this Union?*

Even if the right of revolution is conceded in what practical form does it exist under our institutions?

If by revolution is meant overthrowing the existing government and setting up another by military force this is no political right In this form the same right exists to revolutionize for monarchy as for republicanism It can only be a natural and physical right the right of minorities as well as majorities It exists in every despotic or monarchical government

It was proclaimed in the Declaration — looking however to a new source of sovereignty in the people A revolution in government not like that of 1688 which was only a revolution in men and dynasties But in the American system in opposition to the European the *moral* was first combined with the physical and natural right to resist oppression It became a voting as well as a fighting right It is the right of the people to alter or to abolish government and to institute new government

The Confederation of 1777 left the right of revolution in each State except so far as limited by the pledge of perpetual union and prohibiting each State from engaging in war without the consent of Congress The Constitution of the United States went farther It explained and reduced to practice the right of change of government recognized in the Declaration It secured the right of the people peaceably to assemble and to keep and bear arms It left to them all rights not conceded It gave to Congress the power of calling forth the militia to execute the laws of the Union suppress insurrection and repel invasion and to declare war but *no* State to engage in war unless invaded It required the United States to guarantee to every State in this Union a republican form of government and protect each of them against invasion and — on application of the legislature etc — against *domestic violence*

And here we are met with the objection that the revolution in Rhode Island though perfected by voting and legislating yet not having been sustained by military force against the old government and the threats of the *President* it became rebellion insurrection and domestic violence So that the moment they give us the right of

*The attempt to alarm the South on this point is absurd* It is not necessary, in order to sustain the relation of slavery in the States where it exists to limit the rights of a majority of a free people and make them the subjects of a minority If it were it would be the strongest possible argument against slavery! Admit it, and it gives no security to the voters The physical force of the slave to rise upon his master remains the same in either case and the recognition of the right of the majority of the whole citizens to form government recognizes no more right in the slave to act as a citizen in that organization than does the opposite doctrine

*Then having established the position that the majority have the right to change the form of government, what is the quality of this political right?*

Clearly it is to be distinguished from mere physical force, or superiority of military skill or strength, for political power is political right Power and right are convertible terms when the law authorizes the doing of an act which shall be final and for which the agent is not responsible

The right to exercise a power is a consequence of the possession of the power But mere physical or military power is not necessarily either political right or moral right The distinction is clear between a mere right of revolution resting on physical force and a right of a majority to change government in the exercise of that political sovereignty which the majority of community embodies

In their capacity as the community composing a State the people have conceded *nothing which is not expressly delegated* This is a conservative principle in all popular government and is a necessary check upon government in order to preserve republican forms

To avoid the force of this reasoning those who have opposed the *People s Constitution in Rhode Island have usually* conceded what they call the sacred right of revolution as if by that concession they gave the people all the rights it would do to trust them with And having conceded this much they make the right of revolution depend upon success and thus resolve the whole right into physical force

This may be a correct view as applied to recognitions between independent governments but how will it apply to our congress of nations called the United States? Before the confederation this

to be an act of domestic violence then it rests with the president to call out the whole military power of the Union to suppress revolution in a single State

The order of the President to call out the militia might protect the militia but the order must issue from the President in conformity to law and must be executed by officers duly commissioned through all the forms of law or it would be no justification And if an unreasonable interference with State rights it would never be submitted to by the rest of the Union to crush a single State

This discretionary power of the President can be rightly or safely construed only as applying to resistance to State or United States laws plain insurrection and rebellion At best it is a dangerous power and the most alarming Executive prerogative in our institutions and public opinion would go far to restrain it

But it need not be considered in reference to the Rhode Island question However dangerous the power the President did not exercise it in any form to give effect to his constitutional right of decision as to the existing cause and in any event his *acting* with *either* of the two Legislatures would decide nothing as to their constitutional or legal right and conclude nothing The threat of interference and of military demonstration may have compelled the people to abandon the further support of their government but the President did nothing under the provisions or sanction of the *Constitution* All his acts were private and never consummated

This view has been followed out to test the practical value of what is called the right of revolution in the people of a State of this Union It fails and we fall back upon the great conservative right of the people the American doctrine of popular government viz that peaceful changes of government are provided as the substitute of violence and bloodshed for the people possess over our constitutions control in *act* as well as in right

The right is left to the people in each State peacefully to reassume the powers of government whenever it shall become necessary to their happiness — and to institute new government laying its foundation in such principles and organizing its power in such form as shall to them seem most likely to effect their safety and happiness This

revolution, they send the President at the head of all the troops of the United States to suppress it

This phrase domestic violence becomes most important in the construction of this highest of all State rights the right to model and remodel its own local institutions We contend it can only mean resistance to the statute or common law of a State and hence there was no case of domestic violence in Rhode Island except on the part of the men of the old government against the new It was no case of domestic violence because

1 The whole people there had a right to participate in government It was not a question between slaves and masters subjects and sovereigns but between the majority of the citizens who possessed every civil right except that of voting unless they could buy land of the landholders and the minority who held the land and restricted suffrage

2 In point of fact there was no violence and no act done against existing laws of the old government until the new constitution was adopted

3 In point of fact the new constitution was adopted by a majority of the legal voters in Rhode Island

This fact renders it unnecessary to consider the question of domestic violence as applied to the body of non voters in a State forming a new government aside from the action of the voters We do not admit that the people could have been restrained by laws forbidding their meeting but this is another question and we need not consider its effect It is enough that all their acts were within existing laws until the new government went into effect Then it was too late to interfere

Now if revolution in a State of this Union necessarily involves a case of domestic violence this right of revolution is held by the whole people of a State subject to the arbitrary will of the governor or the quorum of a legislature of a State and the President of the United States This would make all State institutions subservient in effect to the military power of the President If the legislature are to determine in the first instance whether a movement of the people is revolution or domestic violence then the right of revolution is made to depend upon the legislature This brings back the sovereign power in subserviency to the legislature for the legislature will always make the power it wishes to exercise

Thus if the governor or the legislature construe a case of revolution

## 9

# WALT WHITMAN

## REFLECTIONS ON DEMOCRACY[1]

### [THE WORKINGS OF DEMOCRACY][2]

IT IS THE FASHION of a certain set to assume to despise politics and the corruption of parties and the unmanageableness of the masses they look at the fierce struggle and at the battle of principles and candidates and their weak nerves retreat dismayed from the neighborhood of such scenes of convulsion But to our view the spectacle is always a grand one full of the most august and sublime attributes When we think how many ages rolled away while political action which rightly belongs to every man whom God sends on earth with a soul and a rational mind was confined to a few great and petty tyrants the ten thousandth of the whole when we see what cankerous evils gradually accumulated and how their effect still poisons society is it too much to feel this joy that among *us* the *whole surface* of the body politic is expanded to the sun and air and each man feels his rights and *acts* them? Nor ought any member of our Republic to complain as long as the aggregate result of such action is what the world sees it is Do we not behold evolving into birth from it the most wondrous nation the most free from those evils which bad government causes the really widest extending possessing the truest riches of people and moral worth and freedom from want ever yet seen aneath the broad heavens? We know well enough that the workings of democracy are not always justifiable in every trivial point But the great winds that purify the air and without which nature would flag into ruin — are they to be condemned because a tree is prostrated here and there in their course?

[Selected from editorials written by Whitman as editor of the Brooklyn *Daily Eagle* as published in C Rodgers and J Black eds *The Gathering of the Forces* (New York 1920) ]

[2] April 20 1847

right the people have never surrendered, but if they have only the right of the strongest nothing is gained over old forms of government They may *begin* government better, but if there is a mistake and the power gets into the hands of the minority there is no remedy It is not so The people have the right to progress as well as to begin The pyramid does not stand upon the apex, but the base

This we hold is the true doctrine of American liberties We deny emphatically, that in changes of government the people of the States in this Union, hold the 'sacred right of revolution, subject to be hanged for treason if they fail' This is the right of serfs and slaves American citizens claim a higher right, unalienable and practical as a great political right Not a mere physical right of revolution by force which whenever resorted to must be at the risk of all the penalties attached to an unsuccessful resistance to established authority

If then the people of a State are practically denied a change by revolution and can get no change without the previous consent of the legislature the *legislature* and *not* the people are sovereign in government and in practice, whatever may be our theory we are not a free people Such a conclusion proves that the premises from which it follows cannot be well founded [1]

[1][The opinion of the Supreme Court delivered by Chief Justice Roger B Taney sustained the decision of the Circuit Court in the case of Martin Luther vs Borden *et al* and remanded the case of Rachael Luther vs Borden *et al* to the Circuit Court The opinion was based upon the contention that Hallett's argument was political not judicial. In the case of Rachael Luther Associate Justice Levi Woodbury prepared a dissenting opinion See 48 *U S Reports* 1ff for the report and opinions ]

then We think so from two simple facts One is that the great body of workingmen are more powerful and more enlightened now than they were in those days The other is that there is a mighty and restless energy throughout the length and breadth of this nation for going onward to the very verge with our experiment of popular freedom

[DEMOCRATIC SUCCESS][1]

From the days of Washington the course of the Democratic Party has been a cours of success and triumph We do not mean that our party has succeeded in every *election* becau e there are very many minor contests and some of vast importance in which the Conserva tives—under their various names—carried the day But we mean to say that our *principles* have advanced with a steady and sure progress Every year has added something to our political or commercial knowl edge and decreased thus the hopes of the more illiberal among us by whom we mean the citizens many of them as candid and well wishing as any others who think that everything is to be *regulated by law* And it is in this progress and this invariable addition to the good and diminution of the bad that we find the auguries of the future The Democracy must still succeed Even the intelligent Whigs will probably acknowledge this and with all their distrust of the common people and of the integrity and intelligence of the masses will hardly so degrade their own judgment as to deny th likelihood of those *masses* and the party they attach to wielding political sway in the aggregate Such thoughts a these are well to dwell upon the lover of his fellows and of the serene p inciples of political truth will always find joy and enco ragement in them

[THE BEST GOVERNMENT IS THAT WHICH GOVERNS LEAST][2]

In plain truth the people expect too much of the government Under a proper organization and even to a great extent as things are the wealth and happiness of the citizens could hardly be touched by the government could neither be retarded nor advanced *Men* must be masters unto themselves and not look to presidents and legisla tive bodies for aid In this wide and naturally rich country the best government indeed is that which governs least

[1] May 3 1847
[2] July 5 1847

### [The Strength of the Democratic Party][1]

The democracy of this country never can be overthrown The true democratic spirit is endued with immortal life and strength Our star glitters far above, clouds may now and then pass under it, but there it shines undimmed and untouched, and there it will shine when the factions who decry it with all that belongs to them shall be remembered as the creatures of a day and the offspring of corruption Nor can the Democratic Party become essentially corrupt either For true democracy has within itself a perpetual spring of health and purity In its very nature it is at war with all selfishness and wickedness It tempts no man or body of men with sinecures or swelling salaries On the contrary its defenders often have to bear odium and reproach they are the marks at which wealthy insolence and supercilious pride level many an arrow The leading spirits of the democratic faith are always in advance of the age and they have therefore to fight against old prejudices The contest they engage in does not call for brute courage but moral courage — courage that can stand unappalled and without giving up the hate of enemies the lukewarmness of friends the ridicule and malice of many a flippant popinjay who thinks himself of better clay than ordinary men Why what had Jefferson the Columbus of our political faith to encounter? If we are to believe the chronicles of the past he underwent during what was called the reign of terror the most provoking indignities both personal and political Leading Republicans were at that time taunted and hooted at in the streets No one we have the authority of Jefferson himself for saying can realize the afflicting persecutions and insults they had to brook amid that gloomy period the administration of the older Adams But resting on their own stanch manly hearts and defended by the breastplate of a righteous cause they faltered not Throwing to the winds all fear they came out before the people incessantly teaching and expounding their doctrine and openly proclaiming the falseness and injustice of their opponents creed For *their* opponents had a creed The result was that they triumphed And *we* shall triumph We stand here the inheritors of their principles and opposed to the same foe — the foe of equal rights Democracy must conquer again as it did then — and more certainly than it did

[1] November 7 1846

### [THE METHOD OF REFORM][7]

It is amazing in this age of the world with the past and all its causes and effects like beacon lights behind us that men show such ignorance not only of the province of law but of the true way to achieve any great reform Why we wouldn t give a snap for the aid of the legislature in forwarding a purely moral revolution! It must work its way through individual minds It must spread from its own beauty and melt into the hearts of men not be forced upon them at the point of the sword or by the stave of the officer

### [THE PROVINCE OF LAW][8]

We generally expect a great deal too much of law After all government does not exercise anything like the influence for good or for evil over us that we are apt to imagine We have grown in the way of resting on it to do many things which ought to be done by individuals and of making it answer for much that society alone (for government and society are distinct) is in truth the responsible author of Ah no man can be readier than we to unite in behalf of a true measure to prevent crime or to reform it where it has once been allowed to get headway! But we would hunt immorality in its recesses in the individual heart and grapple with it there *but not by law* We would direct our blows at the substance not the shadow

### [ON COMPULSION IN GOVERNMENT][9]

There is not a greater fallacy on earth than the doctrine of *force* as applied in government We of course allude to the physical not moral force — to compulsion as it may be called though it very seldom compels the effect it desires Everybody knows the old paradox that a little is greater than much So it frequently is in laws Multiply laws confuse the people ruled by a legion of entangled statutes and there is not near as much harmony (the aim of all good government) as though laws were few simple and general!

March 8 1846

March 7 1846

N ember 13 1846

One point however must not be forgotten — ought to be put before the eyes of the people every day and that is although government can do little *positive* good to the people, it may do an *immense deal of harm* And here is where the beauty of the Democratic principle comes in Democracy would prevent all this harm It would have no man s benefit achieved at the expense of his neighbors It would have no one s rights infringed upon and that after all is pretty much the sum and substance of the prerogatives of government How beautiful and harmonious a system! How it transcends all other codes as the golden rule in its brevity transcends the ponderous tomes of philosophic lore! While mere politicians in their narrow minds are sweating and fuming with their complicated statutes this one single rule rationally construed and applied is enough to form the starting point of all that is necessary in government *to make no more laws than those useful for preventing a man or body of men from infringing on the rights of other men*

## [Government No Meddler][8]

It is only the novice in political economy who thinks it the duty of government to *make* its citizens happy Government has no such office To protect the weak and the minority from the impositions of the strong and the majority to prevent any one from positively working to render the people unhappy (if we may so express it) to do the labor not of an officious intermeddler in the affairs of men but of a prudent watchman who prevents outrage — these are rather the proper duties of a government

Under the specious pretext of effecting the happiness of the whole community nearly all the wrongs and intrusions of government have been carried through The legislature may and should when such things fall in its way lend its potential weight to the cause of virtue and happiness but to legislate in direct behalf of those objects is never available and rarely effects any even temporary benefit Indeed sensible men have long seen that the best government is that which governs least And we are surprised that the spirit of this maxim is not oftener and closer to the hearts of our domestic leaders

[8] April 4 1846

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March 18 1846
March 27 1846
November 13 1846

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[8] April 4 1846

## [THE OLD WORLD AND THE NEW][14]

Let us not think because we are ahead of the tyrannical system of the Old World that we of the New have no advance to make Every season indeed witnesses a great onward movement even now Some twenty years since and the doctrine of universal suffrage was a bold and dangerous doctrine in the eyes of many who thought they yielded to none in their democracy In Leggett s time he was persecuted and "read out for daring to question the infallibility of banks and high tariff Yet what has the progress of a few circling suns done toward opening the minds of men to receive these heresies' In less than twenty years from this time we venture to predict with every assurance of safety the nation will find boldly promulgated in its midst and supported by numerous and powerful advocates notions of law government and social custom as different from the present day as Leggett s and Jefferson s to those of past ages We must be constantly pressing onward every year throwing the doors wider and wider and carrying our experiment of democratic freedom to the very ve ge of the limit

The old and moth-eaten systems of Europe have had their day, and that evening of their existence which is nigh at hand will be the token of a glorious dawn for the down trodden people *Here* we have planted the standard of freedom and here we will test the capacities of men for self-government We will see whether the law of happiness and preservation upon each individual acting directly upon himself be not a safer dependence than musty charters and time worn preroga tives of tyrants Doctrines that even now are scarcely breathed innovations wh ch the most fearless hardly dare propose openly systems of policy that men would speak of at the present day in the low tones of fear for very danger lest they might be scouted as worse than Robespierrian revolutionists—that hackneyed bug bear theme which has never been presented in its fairness to the people of this Republic—will in course of time see the light here and meet the sanction of popular favor and go into practical play Nor let us fear that this may result in harm All that we enjoy of freedom was in the beginning but an experiment We have been long enough frightened by the phantom of the *past* let us dare to know that we are out of leading strings

July 28 1846

### [The True Office of Government][10]

One of the favorite doctrine of leading Whigs teaches the intricacy and profundity of the science of government According to them the most elaborate study and education are required in any one who would comprehend the deep mysteries the hidden wonders, of the ruling of a nation and the controlling of a people Nor is this doctrine confined altogether to the Whigs many in our own ranks acknowledge its truth and infer from its premises We have Democrats and not obscure ones either, who hesitate not to act (whatever they may say) *in a manner acknowledging* assent *to the* same views *Really how* ever the principles that lie at the root of true government are not hard of comprehension The error lies in the desire after *management* the great curse of our legislation every thing is to be regulated and made straight by force of statute And all this while evils are accumulating in very consequence of excessive management The true office of government is simply to preserve the rights of each citizen from spoliation when it attempts to go beyond this it is intrusive and does more harm than good

### [America s Future Glory][11]

Thirty years from this date America will be confessed the *first nation* on the earth We of course mean that her power wealth and the happiness and virtue of her citizens will then obtain a pitch which other nations cannot favorably compare with Her immense territory is filling up with a rapidity which few eyes among us have realized And back of what can possibly be filled up in fifty years lay enormous untravelled plains and forests fat of their own riches and capable of sustaining nations like the greatest in Europe The mind is lost in contemplating such incalculable acres and the lover of his race whose fellowship is not bound by an open or dividing line yearns that the degrading starving and ignorant ones of the Old World whatever and whosoever they are should be transplanted thither where their cramped natures may expand and they do honor to the great humanity they so long have been a blot upon

[10] January 2 1847

[11] November 24 1846

# PART TWO

# Economic Themes

[WORLD DEMOCRACY][12]

Rain is not drunk in more eagerly by the parched earth than the ears of men, for the past fifty years have listened to those doctrines that would increase their political rights and that teach improvement in governing The progress of this democratic yearning for a better state bids fair to place the American people twenty years hence—by elevating humanity itself, and disregarding mere wealth and circumstances by a wholesome pruning of too much and too meddlesome laws —as far beyond what they now are as what they now are is beyond what they were seventy years ago There must be continual additions to our great experiment of how much liberty society will bear And not only here on our own beloved soil is this democratic feeling infusing itself and becoming more and more powerful The lover of his race he whose good will is not bounded by a shore or a division line looks across the Atlantic and exults to see on the shores of Europe a restless dissatisfaction spreading wider and wider every day Long enough have priestcraft and kingcraft stalked over those lands clothed in robes of darkness and wielding the instruments of subjection The age of iron rule is passing away A few divine spirits there are who dared royalty even in its own stronghold and the Pen shows itself mightier than the Scepter The moth eaten and age-decayed fabric of kingly government has been and now is attacked on all sides and by the ablest champions It is a strong caste a structure of the feudal times yet its enemies are stronger Long did it resist all encroachments firmly did it defy every besieger loudly from its battlements came the shrill laugh of defiance and scorn insolently flaunted its banners in the breeze But the time is arrived when it can no longer withstand the united force of truth and might Tower after tower falls The gates have been broken in and the laugh of defiance is changed to a disturbed look of apprehension The citadel itself even now yields to a hundred lusty blows — and the period will ere many years be here when every vestige will be swept away!

[12] October 8 1846

## 10

# STEPHEN SIMPSON

## POLITICAL ECONOMY AND THE WORKERS[1]

A NEW THEORY of political economy at the present day and from the pen of an American may by some be considered as a bold and hazardous undertaking Adventure and peril however are the characteristics of our country Its physical features are stamped with an energy and grandeur that invite to imitation Its moral history and its political career are equally distinguished for peril of achievement and novelty of execution We are confessed to have achieved as a nation what no other people would ever have attempted The career of intellect of science and of arts lies in broad characters before us and it may surely be permitted to the most humble aspirant to add to the common stock of knowledge and of happiness

It has been left to the people of the United States to present to the world for the first time a self formed government whose basis was established in the equal rights of man civil equality and common privileges and whose end was the general prosperity virtue and happiness of the people The Declaration of American Independence was the first formal annunciation to the world that all men were born equally free with equal claims to the pursuit of happiness and with unalienable rights to self-government This truth once proclaimed flashed conviction on every mind It became an obvious and self evident axiom the moment it was uttered it was received by all disputed by none and now constitutes a maxim in government as well as philosophy which every people pant to reduce to practice as the only road to liberty reason affluence and felicity

Nothing more was required than such a basis of government to develop the full power and cultivate to the utmost perfection the human intellect There was a grandeur a noble exaltation in the very idea that gave to every man his full altitude and dimensions

[1] [From *The Working Man's Manual a New Theory of Political Economy on the Principle of Production the Source of Wealth* (Philadelphia 1831) Preliminary Dissertation, pp 5 50 — Abridged]

[NATURE PROVIDES PLENTIFULLY]

The slightest observation will satisfy the most prejudiced and sceptical mind that nature has superabundantly suppl ed the industry of man with the means of universal comfort We behold a demonstration of the fact in every form of luxury every object of magnificence every refinement of pleasure every waste of riot and sensuality every monument of pride every display of vanity every gorgeous decoration of wealth power and ambition We behold the proof in the lord of ten thousand acres tortured on his sick couch by the agonies of repletion whilst the laborer famishes at his gate we behold it in the luxurious capitalist swelling with the overweening pride of overpampered opulence whilst th hearts that *labored* to produce his wealth shiver and faint with misery and want or drag out a protracted life of endless toil bla ting existence by the despair even of a bare competence But unfortunately *for the* human family, this abundance of nature and this industry of man are alike unavailing to his happiness What God has spread before us as the reward and the property of him whose *labor* shall bring it into use government unjust despotic proud all-grasping government has ordained shall belong to those who never labor and for whose exclusive benefit the laborer shall toil for ever Thus do human institutions founded on tyranny or perverted from their original principles of justice destroy and circumvent the beneficence of heaven or where those institutions are conge ial to equity customs and usages devolved from a prior age and a different government wrest the fruit of industry from the mouth of labor and heap it in the overflowing storehouse of the patron or lard proprietary of the monarch whose royal charter superseded the decrees of justice and the laws of nature

[SOURCES OF INEQUALITY]

From one extremity to the other of this vast Union the origin or the conquest emanated from England. The royal charters of the British monarchs form the first title to most of the soil of the United States Here we discover at one view the entire origin of those *unequal* landed estates which even in this country have reduced the ind strious agriculturalist to the degradation of a mere vassal to some super affluent and idle patroon and which in the best effects they

The mind expanded to unlimited conceptions under the consciousness of a truth which removed all barriers to the progress of genius talent industry and science In theory at least, all distinction was annihilated except that which arose from *merit* and the public mind assumed a corresponding tone and took a congenial spring in the path of bold investigation and untried research The action of self government infused activity energy and decision into our character while the theory of civil equality inspired a daring of ambition mixed with virtue that aspired to reach every perfection both of knowledge and of arms and pluck from the faded escutcheon of feudal Europe the brightest gems that glittered in her wreath of martial glory or adorned her temples of science with the spoils of fame

With such a Declaration of Independence with such constitutions formed on principles purely identical, and theoretically imparting to the heart the fondest dreams of perfect liberty blessed with a fertile soil a frugal government and a disposition to cultivate happiness or bow down into content it is not surprising that a long period should elapse ere the inconsistencies and discrepancies between our theoretical constitutions and feudal laws and customs should be discovered exposed and resisted The mere acquisition of independence, the novelty of an untried condition, the glow of fervid patriotism and the heats of party conflicts would long engross attention and keep it from too close a scrutiny into the actual condition of the great mass of the community It was natural that joy and satisfaction should be inspired upon having escaped some of the intense oppressions of European systems without feeling a restless curiosity to ascertain whether the abstract doctrines of government had actually been reduced to practice so as to secure the *happiness of the many instead of ministering to the benefit of the few!* All advantages and situations are comparative all advances to knowledge are progressive and all changes leave the mind in tranquillity and repose long after their occurrence But acquisitions soon grow familiar and when enjoyed speedily satiate We desire to go forward in the race of human destiny and realize the full conception of happiness that we deem attainable to our nature but this desire can only arise after the flush of conquest and liberty has passed over the heart leaving it cooled composed and refreshed by the breezes of reflection and philosophy

ment, terms that ought to be synonymous duties that ought to mix and blend into one ends that only are attained when both are accomplished and to carry them into fruition no pseudo-partiality ought to be permitted to interfere Unhappily and to our eternal detriment it was permitted at the very commencement of the government. Our great statesman Jefferson has boldly avowed that it was for the purpose of assimilating our institutions to those of that monarchy and erecting a throne on the ruins of our republic but I should rather refer this abuse to blind admiration than to deliberate treason to unappeasable cupidity in a penurious aristocracy rather than to the frenzied designs of insatiable ambition

In itself or its consequences the *funding system* of all the perversions of this equitable government is especially oppressive to the children of labor If it did not create a fiscal necessity it at least afforded a plausible pretext for the *banking system* that fruitful mother of unutterable affliction to the sons of industry which brought us at one fatal step into the vortex of English aristocracy overgrown fortunes and hopeless poverty taxation through all the elements of existence and speculation to the utter grinding down of the *producer* to pamper the fortunes of the rich and swell the hoard of the speculator The *banking system* and the *funds* are in the fiscal world precisely what the royal grants were in the landed interest They created even a greater inequality of fortune by means more nefarious as well as more pernicious for they levied a tax directly upon every commodity produced by labor which tax became immediately absorbed into the pocket of the *capitalist* So that what England did through her royal charters and grants antecedent to the Revolution our own aristocracy deliberately committed through the *funding* and *banking* systems whose results upon the happiness and comfort of an industrious and free people must be estimated fully as calamitous in respect to labor as the consequences that would attend the subjugation of the country by a foreign king who should partition the property of the conquered people among his chiefs and followers in large and princely domains thus creating a monopoly of land and capital which would extort labor upon their own terms of bare subsistence

Thus far then we perceive our constitution of *equal rights* to be the merest untenanted skeleton of liberty that the imagination of man can conceive which by its *operation* creates aristocracy privileges

produce, are so pernicious to the population of the country by retarding its settlement and so injurious to those whose labor gives them all the real value they possess Chiefly, however, are they to be deplored because they create wealth independent of merit or industry and so far tend to unhinge government from its only true and substantial foundation, by creating an aristocracy whose origin is the royal patent for lands they never saw and can never till. When we know that the inequality of wealth is the cause of misery to thousands this *identity* of condition, on our part, to that of England must at once lead to reflections that inspire as much of degradation as they tend to stimulate to reform

It must ever form a subject of amazement and regret to succeeding generations that at the era of the Declaration of Independence or at that of the adoption of the Federal Constitution the common law of England and the royal grants and titles to land were not instantly and totally abolished as of no force and virtue under the new government Such a measure, more than all others now in the power of the people would have established society on the true basis of merit and labor in the citizen and tended by its own weight to equalize property on a scale of equity and comfort and to adjust the wages of labor in a manner conducive to the general happiness

Next in magnitude as one of the parents of that unequal distribution of property and that unjust principle of distribution which now prevail was the establishment of the *funding system* another fungus of the corrupt institutions of a kingdom from which we had declared a *nominal* independence at the same time that we retained with obstinate infatuation all her moral civil, and political cancers under the false impression that descent propinquity a common origin and a common language ought to excite a sympathy and an emulation that would blind us to their vices and so consecrate their errors as to make it the duty of a kind of filial affection to adopt them without examination, resting satisfied with the uncontested fact that their *English character* alone fully entitled them to our implicit approbation Whilst I feel no disposition to deprecate or detract from a proper feeling of amity towards a foreign kingdom once the fountain of the blood that circles and plays in our own veins yet that feeling ought never to sanction English error or lead us to adopt English corruptions The duty imposed on us now is that of *self happiness* as well as self govern

To be a gentleman and to work were utterly as incompatible as to aspire to rank and possess the faculty of *writing* an ignorance of which in the middle ages was generally confounded with servile labor Idleness the pleasures of the chase and the havoc of war or the perils of personal combat were then as now considered as the peculiar occupation of the nobles and gentry To be useful was to be degraded and when we consider that even *writing* was considered a disgrace because it required labor we may conceive upon what whims of opinion and customs of tyranny rested the whole system of ranks titles and distinctions Writing was then confined to the lower order of monks who were termed *clerks* a term which is even yet considered derogatory as associating ideas of meanness and servility but now writing however when separated from the last mentioned degradation is considered not only creditable but is boasted of as a mark of distinction and honor which shows upon what frivolous grounds the whole system of *rank* rests To labor for another even among us of the nineteenth century is held as disreputable whilst to labor for ourselves wipes away the stigma of reproach In this distinction we behold the cause and origin of that ignominy and depression which has been cast upon the working classes In all countries except this they are the slaves serfs or servants or the descendants of that class stamped with the features of hard toil and hard usage *mental ignorance* brutal passion and stinted nourishment their *occupation* is associated with the idea of their condition and because bondage degrades cramps and degenerates man labor shares in the same disgrace because it is a part of *the slave* Even in Russia and other countries of the present day our own (*in the Southern States*) not excepted labor is chiefly confined to the slaves and few toil unless scourged to the task by their masters The condition of the working classes of Great Britain is little better than that of the American slaves or the Russian serfs of which class they are the descendants bearing about them all the hereditary hardships toil famine and ignorance which habit and tradition reconcile them to endure or which a military government compels them to submit to

As it appears indubitably to be owing to the existence of slavery combined with labor from the earliest to the latest ages of the world that industry and toil have become associated with baseness and degradation it would seem that nothing more was necessary to

extortion monopoly and overgrown fortunes and which by its *letter* declares that equality of rights shall be guaranteed to all and the pursuit of happiness be a common boon secured to industry by the equity of her principles and the simplicity of her laws

Such are the defects of organic law, practical government and property, which are thrown as obstacles into the path of the working man In themselves these are formidable enough to intimidate the most intrepid champion of reform But when are superadded to these the obstacles of opinion prejudice the long descended prejudice of antiquity flinging the odium of servility upon the head of labor it extorts a doubt of success even in the very moment it excites the soul to dare all perils in so laudable a task *Antiquity!* The word excites the most pleasing and sublime association but on this subject it gives rise to the most humiliating and degrading thoughts Happily Aristotle knew little of the true principles of political economy and we may pardon the ignorance of a people on that score, whose occupation was war and whose recreation was pleasure who spent their hours in alternate devotion to the muses or sacrifices to their gods!

[RIGHTS OF PRODUCERS]

From the earliest epochs of civilized society after its maturity from the pastoral to the commercial state the *producers* of wealth have with few exceptions and little variation been degraded to the condition of slaves serfs vassals or servants and this degradation has even extended up to the present age In Greece the mechanics and artisans with the exceptions of those branches intimately connected with literature and science such as sculpture and pain ing were mostly slaves The same degrading custom was also peculiar to Rome in her first ages until the practice of *manumission* and the rewards and honors decreed to valor in the field gradually wore out some of the stain and ignominy attempted to be put upon those whose lives were devoted to *useful* labor in the state All barbarous nations or those just emerging from the dark era to the twilight of civilization have been remarkable for the same confinement of labor to the class that was held in bondage The Germans the Gauls and the Britons had their *serfs* to whom were confined the duties of all servile labor from the drudgery of the workshop to the more blightsome toils and cares of agriculture

military civil stock and landed The enmity and contrast in all these cases arise from a *legal difference* of interest and the active and passive members of this fraudulent system are distinctly designated by the *wealth* and *poverty* it diffuses In England every seventh person draws support from the parish at some period of his life exclusive of those who submit to misery in preference to the humiliation of asking charity "[2]

Independent however of this conclusive authority upon the subject it is obvious on the very face of our organic laws that it was never designed by the people who framed this government to grant the power that *Law* should regulate the distribution of wealth instead of industry I use the term Law as a generic word embracing all the details that affect the distribution of wealth such as moneyed corporations chartered monopolies and that endless chain of levers which move industry to empty her gains into the lap of *capital* and which *effectually* frustrate and defeat the grand object of rational self government on the basis of individual freedom and personal merit

The distinctive features of the *feudal* systems of Europe which we have in form and in fact essentially repudiated are those of *entails nobility hierarchy monopolies* which are synonymous to the distribution of wealth by LAW instead of its distribution by the same power which is alone active in its production *industry and labor* Having shaken off renounced and branded those systems of antiquated barbarism and monkish superstition by all the great leading documents of our national existence we are bound by the highest and most sacred ties of moral religious and political obligation to bring the condition of the people in respect to the wages of labor and the enjoyment of competence to a level with their abstract political rights which rights imply necessarily the possession of the property they may produce on principles of equity congenial to the equal rights guaranteed by the organic law To substitute LAW for the distribution of labor is to introduce the chief feature of the feudal systems of Europe into the free self formed and equitable republic of this country and amounts to a virtual repeal of the very first principle of the Declaration of Independence and the Constitutions of the Union and the States

Happily however for the integrity of these institutions and the

[2](John Taylor *An Inquiry into the Principles and Policy of the Government of the United States* (Fredericksburg Va 1814) p 634)

reverse the character of the productive classes in public estimation than to confine labor to a community of freemen and abolish every vestige of bondage and servitude This it must be acknowledged is an indispensable prerequisite to divesting labor of disgrace and investing it with ideas of honor and merit, but it cannot be deemed entirely efficient in itself Other causes must combine to produce this salutary revolution, previous to considering which, however let us return to that auspicious feature in our Constitution to which I alluded at the commencement of this essay

This is the only free government whose organic laws are sustained by the mixture of slavery and labor Here for the first time we behold a country whose mechanics laborers farmers, and operatives are all eligible to the highest posts of power where they may claim equality with kings and emperors and for a time be equally as absolute and mighty in wielding the engines of human destiny Labor brings neither disqualification nor stigma upon the citizen of the United States in a political capacity His rights are confessed recorded and practised honor may be his if genius seconds his efforts, and fame may be won by him without restriction of law

On the part of political right then the *producer* suffers no disparagement from our free constitutions whose efficiency is allowed to be complete both in theory and practice

Another question, however arises Did the Constitution intend to provide for nothing beyond *mere political right?* Does not the political embrace necessarily the *moral equality?* Does it not declare that equality is the basis of the whole social compact and that all laws and regulations customs and usages shall bear equally upon all the members of the community? Hence the remarks of a celebrated writer upon the principles of our Constitution The idle who seek for wealth by chartering laws are wiser than their equalising brethren Law has never been able to produce an equality of property where industry exists but it can produce its monopoly Our policy rejects its application to both objects and our constitutions unequivocally disclose an opinion that civil liberty depends *upon leaving the distribution of property to Industry hence laws for this end are as unconstitutional as those for re establishing king lords and commons Legal wealth and hereditary power are twin principles* These frauds beget all the parties or factions of civil society such as patrician and plebeian

demagogues to the detriment of their best interests the sacrifice of their time and the loss of their character Lured on by the cant of party the slang of affected patriotism and the hollow promise of patronage men have closed their eyes as well as their understandings to the deception of the game which made use of them and their interests for the sheer and exclusive benefit of an aspiring demagogue who when his purpose was obtained cast the squeezed orange from him with undissembled contempt It is to be hoped this epoch of delusion is rapidly passing into the waste of oblivion never to be recalled and that the producers of wealth will now be reinforced by the former deluded followers of faction to second their reforms and aid them in their labors A little reflection and inquiry cannot fail to produce this highly desirable result Let us progress a little further in this investigation

*Personal parties* are at all times and under all circumstances highly dangerous and often prove fatal to the liberties of a free people They are founded on selfishness and terminate in usurpation and abuses They first lead to the obscurity of principles and gradually produce a total obliteration of all the great landmarks which are founded on the fundamental differences of government and engraven on the inalienable rights of man After confounding in this manner all distinctions between right and wrong justice and oppression freedom and bondage they soon tend to beget in the popular mind a total apathy or indifference to whatever relates to political affairs What is radically erroneous or pernicious is often glossed over as right and adopted by affection or reverence for a *name* what is nefarious in principle and even frightful in its consequences is often welcomed cherished and promoted without reflection or inquiry because a voice gilded with popularity has suggested its performance Men of conflicting views irreconcilable principles and incompetent minds are huddled together in personal parties for a moment until some shock of interest severs them wider than ever with embittered animosity and aggravated feelings or if they cohere after the first collision it is at the increased expense of all that is worthy of esteem and admiration in the human character Honesty is sacrificed to expediency truth to self interest patriotism to ambition and public virtue to private aggrandizement Honor and right can never tolerate such heterogeneous associations The most callous and adroit knaves

perpetuity of the great doctrines upon which they are based we possess a redeeming trait in our government which opens wide the channels through which the people may enter to produce a conformity of practice to principle Legislative abuses are never beyond the corrective control of a people whose suffrages properly directed by a judicious concentration can periodically annul remove and recreate the power that is above the laws and mold the popular sovereignty to its own will and pleasure Let the producers of labor but once fully comprehend their injuries and fully appreciate their strength at the polls and the present oppressive system will vanish like the mists of the morning before the rising sun The power to remedy the evil is unquestionable it resides in the *producers* of wealth who constitute so overwhelming a majority of the people when not carried away by the infatuation of factior the delusion of personal allegiance and the vain pursuit of phantoms of liberty which are no sooner touched than they melt into air leaving the wretched follower to bewail his disappointment and execrate his fatuity

## [Defects of Party System]

Nothing of a public nature at the present era is so worthy of the attention of the people as the fallacious structure and pernicious tendency of the parties now in vogue whose foundations are as futile as their results are nugatory to the great body of the people neither advancing the good of the nation nor the prosperity of her citizens but blindly ministering to the avarice ambition or pride of some temporary idol who is worshipped one day and immolated on the next A party grafted purely *on principle* has never yet engrossed the ardent people of this excited country that of 1798 approximated nearer to such a party than any other but its principles were so soon perverted its object so soon merged into mere personal views and the honest people were so soon duped by unprincipled l aders that it could scarcely lay a claim to purity of feeling or soar to patriotism of purpose Since that era faction has rapidly generated faction of grovelling views and unholy ends so as to cause political collisions to fester into mere cancers upon the body politic eating into their vitality and spreading disease and death over the whole face of our institutions Yet have the people been enticed into their support by plausible professions of leaders and the wheedling arts of insincere

naval against land power the former would if backed by ade quate air power, retain *most* of its traditional decisive influence as long as the continental power were limited to the present com munist territory and would retain *part* of its influence even if that territory were extended to include some of the key areas it now lacks

But wars are not won by material and military force alone indispensable as these are In the end wars are won by the vigor and the perseverance of the combatants and these depend upon their conviction of fighting for a cause worth the sacrifices it requires All great wars sooner or later reach a stage of military equilibrium it is then that the mental and spiritual factors start to dominate the outcome They cannot by themselves defeat guns and tanks but when guns and tanks get deadlocked it is the spirit which tips the scales It cannot be subdued by brute force The body can be torn asunder by gunfire and crushed by tanks but the spirit escapes unconquered to inspire hundreds who follow In the end the spirit always wins out

It is this fundamental truth which is invariably overlooked by the dictators of all times it is the spirit for which their secret police hunt because it escapes their orders their concentration camps their incinerators

As long as there is one soul alive who refuses to submit to the almighty power of Party and State the creative spirit is not extinguished and will one day rise again to inspire men to revolt against tyranny

In the struggle with communism the democracies have on their side two forces to which the spirit has always rallied and on which dictatorships have invariably shattered freedom and religion

*Freedom*

Ever since the birth of mankind man has craved freedom—the right to live to think to worship according to his convictions,

he has been endowed by his Creator with the unalienable right to life liberty and the pursuit of happiness

In our time this age-old ideal has taken on a new meaning It *means freedom from* certain blessings of the totalitarian regime the knock on the door in the night, the departure from which there is no return the spying of sons on fathers of wives on husbands the fear of uttering a word that will provoke the wrath of the Party the concentration camp summit of scientifically applied cruelty

These notions have scant significance for those who have up to now had the privilege of escaping life under a totalitarian regime All the more bitter is their significance for those who *have not been so fortunate To them the daily prayer God* make us free" is more essential than "Give us our daily bread It is the inner tragedy of freedom that the call for freedom will always rally to its banner those craving it, but they disband once victory is achieved and the goal seems reached We to whom freedom has become as common as the water from the faucet must bring ourselves to realize that freedom is a treasure requiring eternal vigilance and above all that freedom is more severely threatened today than ever it was because the present threat comes from an ideology which has the globe itself as its target. If it wins there will be no escaping it it will accompany you on *the road it will follow you into the woods* where you will try to flee it, it will be with you in your bedroom it will demand your *total* allegiance every ounce of your energy your thought, your heart If we realize this danger and make it abundantly plain to the world liberty will be our strongest ally an undefeatable ally as old as the world

One of the reasons why the Greeks won out over the numerically superior Persians was says Herodotus that they felt that the subjects of a despot are no match for the citizens of a free state for these yield *obedience* only to a law which is self imposed

*Religion*

Allied with us too in the case of a new World War would be religion

The totalitarian state which cannot tolerate any allegiance but to itself is the mortal enemy of religion It can never at the price of abdication acknowledge that the soul owes its ultimate allegiance outside this world Therefore in the struggle between the free world and communism all religious creeds can not but in the end line up against this pseudo church which is trying to take their place—and this applies to Protestant and Catholic to Moslem and Hindu alike But to us who belong to Western civilization the commandment issued two thousand years ago to love our neighbor is still a better way to a just world than the commandment issued one hundred years ago to hate and destroy certain groups of society

It is disturbing that the Christian basis of our civilization is in some countries much less frequently mentioned than democracy as one of the main pillars of our ideology Yet it is even more fundamental and goes deeper than the latter The Christian faith is at the root of our democracy not the other way around If we abandon that foundation our civilization will be like a tooth of which the nerve has been killed outwardly it will look the same and stand for some time but its disintegration will only be a matter of time And without this spiritual background Western civilization will never be able to assert itself to the masses inside or outside its realm to whom the soul means more than even democracy or prosperity

# XV

## America's Destiny

THE readings of history are clear Western civilization is about to enter a new phase the epoch of one civilization wide world and civilization wide peace In all civilizations this is the last phase it can also be the greatest if greatness is measured in the greatest good for the greatest number It can be an era like the Principate in Rome or the Middle and New Empire in Egypt. Its value to contemporary man and history as well as its duration will depend upon its inner strength and creative force

In this one world whether it comes about through peace or through war the United States of America is by history destined to play a preponderant part It is only fair to say that it has not desired this part which has been thrust upon it by force of circumstances It must also be said that once America realized that it had been forced into the position of the involuntary protagonist it was remarkably quick to adapt to it Earlier in this book it has been pointed out that, notwithstanding criticism and mistakes U S foreign policy after World War II has shown courage vision and a generosity toward others unknown in history The creative force apparent in these qualities opens up boundless possibilities

On the other hand there are many pitfalls ahead Nothing is easier for a power in the unthankful role of world leader than to stumble into these by overlooking some fundamental conditions it is expected to fulfill

REQUIREMENTS OF LEADERSHIP

It should never be forgotten that all leadership, and particularly democratic leadership, derives its authority from the consent of those it leads No leadership in history whether of dictator monarch class or state, has ever endured when it failed to hold the inner assent of its followers Toynbee s conception of a creative minority guiding a responsive majority applies to the community of states as well as to that of citizens

The other countries of the democratic world are sufficiently realistic to recognize that the United States which contributes more political military and economic power than any other nation is for that reason destined to be their leader What they fear however and what they would strongly resent and resist is to be ruled instead of guided—dictation instead of co-operation They recognize the United States as *primus inter pares* but they have not so bitterly fought dictators of other countries in order to submit to dictation within their own community The great question is whether United States leadership will be voluntarily followed from inner conviction or resentfully from bare necessity The answer will depend upon the extent to which America will be able to avoid certain mistakes upon which former world powers have foundered and thus make its leadership acceptable

*Spiritual Leadership*

This is the first and foremost requirement The world has too strongly the impression that American leadership limits itself to grants of material aid and attempts to improve living conditions

Far be it from us to underestimate the importance of either of these two factors The Marshall Plan aid to Europe for instance has been an indispensable help in restoring that continent s economy after the war To raise the living standards of the millions who still exist in the basest poverty and squalor is, as has been pointed out before one of the three main challenges to

Western civilization Only by providing food to eat and a place to sleep to these masses can their sense of being underprivileged be overcome and the value which our economic system has for them be proven.

But neither of these steps will suffice to win over a nation No nation as no man will accept another s guidance merely because the other is wealthier and prepared to share some of his wealth with him On the contrary the sad truth is that between nations as between men this seems to make for resentment rather than for gratitude

Men will be attracted but will never be inspired by the prospect of more bathrooms or refrigerators The battle for the minds of the millions will not be won by holding out to them better plumbing or faster cars particularly in continents like Europe and Asia where the spirit has always reigned supreme And this applies especially in competition with an opponent who has succeeded in combining in his propaganda a rosy picture of a classless society with an ideology replacing the altars of religion. Against this pseudo-religion the West can only win out if it has something more to offer than food and television

As such it possesses two spiritual values which are at its basis and have not been surpassed yet religion and democracy In the American picture presented to the world the latter is far more conspicuous than the former yet the former is as essential as the latter not only to Western civilization but to any individual it wants to convince The human soul is not satisfied to stop at what the eye perceives "The eye is not satisfied with seeing nor the ear filled with hearing That applies in Kiev as in Santiago or in Timbuktu Only by the force of its spiritual faith and of its democratic ideology can the West meet the present supreme challenge to its existence

*Respect for the Independence of Others*

"Sovereignty" no matter how often it may still be used as a catchword is in its original significance virtually extinguished

in our present world as a result of ever increasing interdepend ence Few countries including the United States and Russia, can today afford to make decisions completely without regard to others

At the same time it is essential that in the coming one world all nations should not be submerged in one amalgamated uniform mass Politically it would be disastrous if all power were centered in one place without a counterweight to balance it Economically, too it can be a lopsided and unwholesome situation as we have seen after World War II if large areas are unable to maintain a balanced economy and have to depend on outside aid Spiritually it would mean the ossification of Western civilization if the many contributing sources from which it has sprung were to dry up and be replaced by one tap with chlorinated water Diversity has been the mainspring of our culture uniformity would be its end

It may be useful to revert here to one of the laws which Danilevsky wrote down nearly a century ago

> A civilization reaches its fullness variety and richness only when its ethnographic material is diverse and when these ethnographic elements are not swallowed by one body politic but enjoy independence and make up a federation or political system of states

And applying this test to practice he states that the richest and fullest civilizations so far have been the Greek and the European because of the variety of their ethnographic material and of the autonomy of the several political units that have been the builders and bearers of these civilizations

The role of leader among nations as among men is a hard and thankless one criticism is due to be sharp abundant and un reasonable appreciation meager and inconspicuous satisfaction can only be derived from the sense of fulfilling a historic duty fair judgment can only be expected beyond our time or beyond our world

But the ingratitude and lack of appreciation which are bound to befall a leader should never induce him to ignore all criticism and impose his will True leadership rests on persuasion not on coercion. Some of the greatest leading nations in history such as the Romans or the British who for centuries kept together an empire of h terogeneous elements knew the value of this wisdom Often they applied cunning and force sometimes ruthlessly, but in the end they could only rule as long as they commanded the consent of the ruled This requires tremendous almo t superhuman self restraint. The inclination is strong for anyone who knows that ultimately he will have to bear the consequences to impose his own will the man who foots the bill will want to decide about the expenses Yet even so he will in a partnership be wise to exercise the utmost care always to act in consultation with his partners respect their personalities and above all not try to model them after his own image

True leadership brings about what Toynbee calls mimesis voluntary imitation on the part of the followers Mimesis of America can be seen in a thousand small aspects of present-day life all over the globe in the Paris newsstands the French magazines are almost crowded out by *Life Time* and *Look* cocktails are served from Singapore to Lisbon American cigarettes once disliked abroad for their strong taste are now the smartest thing to offer from Capetown to North Cape Hollywood reigns supreme in cinemas all over the world even in the most anti imperialist of Asian nations one finds that the most coveted mark of success is the possession of a Cadillac and the first thing which met this author upon landing in Bangkok in search for the artistic beauties of Siam was an enormous truck full of Coca-Cola.

As long as this peaceful penetration of American habits results from a natural process of osmosis it is inevitable and unobjectionable from a point of view of effective leadership even though the loss of national and local characteristics may be highly regrettable from a cultural point of view The danger to the leader

ship comes where the guiding minority tries to *impose* its views or its habits This would happen for instance if America should try to introduce everywhere the exact form of economy applied in America, or if it should try to abolish all monarchies as anachronisms

Such imposition in disregard of national traditions not only renders a civilization poorer and therefore weaker, but at the same time evokes resentment against the leadership Respect of the rights and peculiarities of the minority by the majority like those of the governed by the rulers is the essence of democracy

It took the political genius of Alexander the Great to establish a sound balance between his imperial supersystem and the autonomy of the Greek *polis* It will be the almost superhuman task and test of American statesmanship in a modern world to strike the right balance between the guidance of others and the respect of their independence

*The Living Example*

There are many other pitfalls of course which the experience of previous civilizations points out

*Corruption* is one of the illnesses which has in the last phase of a society often undermined the prestige and—more serious—the moral fiber of the leading nation

*Wealth* too abundantly enjoyed by few or too long sustained by many *is a comfortable mattress on which many a world power* has gone to sleep This is an unpopular thing to say in a world where the pursuit of prosperity almost seems to have become the very purpose of life yet it is necessary to say it because the road of history is littered with the skeletons of civilizations that did not wake up in time they died of opulence not of want

*Personal rivalries* between tycoons taking the place of the former national wars in which men were prepared to die for their ideals or their country are equally characteristic of the closing phase of each civilization The greatness and duration of that

period depend largely on the extent to which the fundamental bases of the civilization are kept alive and personal strife kept subservient to the struggle of ideas which is the characteristic of every living civilization

*The Danger of Political Hegemony*

The continued and uncontested exercise of economic or political power without competition or the possibility of change is bound to corrode the force exercising it "Power corrupts and absolute power corrupts absolutely This applies in a community of nations as well as within one state Therefore it would be fatal both to the United States and to Western civilization if the United States should have an absolute monopoly of power Monopolistic power is bound to get to assert itself for its own sake and for that of its bearers rather than for the sake of the community as the history of all dictatorships shows That is why we have for decades now been fighting one party regimes That is why the US Congress restricts economic monopolies

In the Western one world competition could no longer take the form of military conflicts But that does not mean there should not be a certain rivalry and balance of forces both within and without it India China Russia Latin America will all be centers of economic and political gravity But within the Western world the natural area of counterbalance is Europe Before we discuss the part which Europe must play as counterweight to America it is necessary to stress another vital basis for American stewardship

*Maintenance of the Common Heritage with Europe*

Europe is the source of Western civilization not only in the sense that it originated in medieval Italy and France not only in the sense that North and South America were populated from Europe In Europe Western Civilization still has many of its spiritual roots it is there that much of its creative force is still

operative, as we found when analyzing that force in Part II of this book Impressive and vigorous as the economic and political forces are that have come to life on the American soil it would be an irreparable loss if it were to be cut off from its European roots if the benefits were to be lost that accrue from this inter action between two worlds

America might survive for some time as a glamorous and powerful state, but it would like similar states in previous civiliza tions never overcome the separation from its roots It would be come a magnificent but petrified society a moonlight civilization, swirling through the spaces of history like a brilliant phenomenon, a meteor burning itself out because it was torn away from the fire that generated it

# *XVI*

# *Europe's Part*

IT IS time too to take stock of Europe s assets—not in pos sessions which are a product of the past but in creative po tential, which will determine its future—and to decide upon the role it can play in the developing un ty of the Western world

From the array of creative forces enumerated in Chapter X it can be concluded that in the cultural field Europe is far from being exhausted still actively productive The architecture the music the films the books it has produced in the last decades are proof of its creative vitality in the artistic field It seems a safe assumption that unless Western Europe should again become a battlefield and be destroyed beyond recuperation it will con

tinue for a considerable time to be a main source of Western civilization in the cultural field even if its political and economic importance should further decline In the same way after Alex ander the Great the cultural influence of Greece pervaded both the Eastern and the Western parts of the ancient world. Thanks to the political achievement of Alexander in welding his extended realm into one cultural unity with a common language art and political organization Greek influence permeated that whole area and in the East Roman Empire even survived the fall of Rome for a millennium Yet the Great Age of Greece was irre trievably gone its culture was disseminated over the civilized world but the roots of the plant itself had died

Is Europe to content itself with that role?

There is no reason why it should The economic and political forces which have enabled it for centuries now to stride in the vanguard of nations are still there

Whether Europe will survive as a leading factor in the world depends on its capacity to adapt itself to the necessity of integra tion A surprisingly strong crop of forces has sprung up all over Europe working toward that goal They have already resulted in an intricate structure of organizations from the Council of Europe to the European Defense Community Endless hin drances are obstructing their success but these creative forces are there and vigorously alive It now depends on the speed of their success whether the integration of free Europe will be achieved and its economic and military strength restored in time to save the continent from a new world conflict It is a race against time a race against the forces of aggression and at the same time a race against the factors effecting its own degradation If free Europe succeeds in winning that race then, and only then its 300 million people can become a fully equivalent and there fore more valuable partner of the United States in a balanced North Atlantic community We are not thinking of a "third power a neutral between two ideological camps Europe will

always stand for the principles of Christianity, freedom and democracy which have ever constituted the lifeblood of its civilization well before America existed

But if Europe is not to become a colony of the United States it must determine its own policy, its own constitutional and economic structure, its own way of life This can only be achieved if Europe is sufficiently integrated politically to follow a common over all policy, and economically to render mass production and consumption possible and make the continent independent of outside aid It is a proof of great wisdom that the United States has with regard to Europe never followed the Roman device of divide et impera ' but urged for its unification

There is no danger of armed conflict between a united Europe and the United States their interdependence of interests and community of ideals would prevent it But as we pointed out before it is essential for healthy leadership in any community that there be a counterweight to it able to offer criticism and competition, ready to take over if necessary To achieve that aim it will also be necessary for Europe to keep in mind some other requirements that are in danger of being overlooked today

### THE CULTURAL SUPERIORITY COMPLEX OF EUROPE

Both for the sake of Europe s good relations with other parts of the world and for the sake of its own vitality it is essential that Europeans should shed their innate conviction that their culture is superior to that of say America or Asia Nothing is so repugnant to both Americans and Asians as the attitude usually adopted—often unconsciously—by West Europeans toward people of other areas of the world that as a matter of course European culture has more tradition is more deeply rooted and more refined than that of others Nothing warrants the complacent assumption that other areas are not just as capable of producing equal cultural products or are not in fact doing so What re

mains of the age-old civilizations of the East, impregnated by the forces of its newborn nationalism as well as the rising cultural achievements of America creates a serious challenge to Europe even in the cultural field. Nothing in the history of nations and of civilizations has been as conducive to a certain death of its spiritual vigor as self-complacency that attitude is not only a sign but also an origin of decadence and we Europeans should do well to realize it.

### EUROPE S POOR RELATIVE COMPLEX

To Europe s feeling of cultural superiority which is of old standing there has been added since World War II one of incapacity to pay its own way and of dependence on outside help There is even a certain connection between the two in that the sense of lost economic leadership has induced many Europeans to seek compensation in an inflated sense of their own cultural value In such a situation it is a natural human inclination to make the excuse If only I had met the same favorable circumstances I could have done even better However the only real salvation for old nations is to adapt their values to new circumstances and see to it that they again do better than others as their forefathers did

Nothing is as killing to initiative as the habit of reverting to others for economic or financial assistance In times of transition such assistance may be necessary and beneficent as a stop-gap But when prolonged beyond the period of absolute necessity it becomes a source of weakness The threatening habit in many non-communist countries of expecting the United States to pay the deficit if the national economy runs in the red is as killing to their economic vigor as it is repellent to their self-esteem and repugnant to the United States The sooner Europe becomes self supporting and of its own initiative puts an end to foreign aid the better

### THE TREASURE OF EUROPEAN DIVERSITY

The need for European mass production and mass consumption, for a common defense and for a common over all policy should never put an end to the diversity which has always constituted one of the riches of European civilization From the abbeys of Italy France and Spain from the cities of the Renaissance from the Hansa towns in Germany and the Low Countries from the Universities of Paris and Bologna, Prague and Heidelberg Oxford and Louvain—from these sources all over Europe welled the waters that combined in the mainstream of European civilization The political, economic and military integration of Europe will inevitably require the sacrifice of many local or national interests But it should never aim at uniformity The end of diversity would mean the end of Europe

### THE EUROPEAN HERITAGE OF CHRISTIANITY

It has been stated before that Western civilization had its cradle in the abbeys and cathedrals in the sacred laws the religious art and the monastic science of Medieval Europe That Christian origin is as inseparable from European culture as its diversity or its sense of freedom The Christian trend has always persisted strongly in Europe even when humanism with its offspring of rationalism and Marxism rose as rival forces and overshadowed it in America in the form of a predominantly secular society No civilization has ever survived the death of its basic religion That applies as much to Western civilization today as it has to others in the past It is primarily up to Europe where the Christian influence is still strongest to uphold this heritage It can not be better expressed than in these words of T S Eliot in his *Notes towards the Definition of Culture*

> To our Christian heritage we owe many things besides religious faith Through it we trace the evolution of our arts through it we have our conception of Roman Law which has done so much to shape the Western

World, through it we have our conceptions of private and public morality And through it we have our common standards of literature in the literatures of Greece and Rome The Western World has its unity in this heritage in Christianity and in the ancient civilisations of Greece Rome and Israel from which, owing to two thousand years of Christianity we trace our descent.

It is in Christianity that our arts have developed it is in Christianity that the laws of Europe have—until recently—been rooted. It is against a background of Christianity that all our thought has significance An individual European may not believe that the Christian faith is true and yet what he says and makes, and does will all spring out of his heritage of Christian culture and depend upon that culture for its meaning Only a Christian culture could have produced a Voltaire or a Nietzsche I do not believe that the culture of Europe could survive the complete disappearance of the Christian Faith And I am convinced of that not merely because I am a Christian myself but as a student of social biology If Christianity goes the whole of our culture goes. Then you must start painfully again and you cannot put on a new culture ready made You must wait for the grass to grow to feed the sheep to give the wool out of which your new coat will be made You must pass through many centuries of barbarism We should not live to see the new culture nor would our great great great grandchildren and if we did, not one of us would be happy in it.

If Europe can reinvigorate its fundamental values and by a supreme effort meet the challenges of this twentieth-century crisis there is no reason why it should not continue to be one of the leading forces in the world Egypt came back after five centuries Assyria after six centuries Babylon after fifteen centuries all had a New Empire more splendid than the first. Each civilization can rise to yet greater heights even in its so-called last phase which we have not entered yet.

There is plenty of ground, as this book has attempted to prove for faith that both Europe and America possess the creative force to conquer the present crisis of Western civilization and lead it to new peaks The co-operation and the interaction of the old and the new worlds will, if they are both determined to do so bring to further fruition that force which set in motion the brush of the

Medieval masters inspired Beethoven's symphonies motivated William the silent and George Washington brought forth the Commonwealth of Nations erected Notre Dame and Rockefeller Center the creative spirit of the West

It can be done It depends on us

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